

Alfred Warrington Marriner, Air Corps.  
Guy Harrison Gale, Air Corps.  
Muir Stephen Fairchild, Air Corps.  
James Gradon Taylor, Air Corps.  
Leland Wilbur Miller, Air Corps.  
Raphael Baez, Jr., Air Corps.

## TO BE MAJORS

Joseph Cyril Augustin Denniston, Air Corps.  
John Halliday McCormick, Air Corps.  
Earl Walter Barnes, Air Corps.  
Charles Henry Caldwell, Air Corps.  
Edgar Turner Noyes, Air Corps.  
James Keller De Armond, Air Corps.  
Walter Llewellyn Wheeler, Air Corps.  
Norme D. Frost, Air Corps.  
Linus Dodge Frederick, Air Corps.  
James Gordon Pratt, Air Corps.  
Milton Miles Murphy, Air Corps.  
Lee Quintus Wasser, Air Corps.  
Benjamin Thomas Starkey, Air Corps.  
George Vernon Holloman, Air Corps.  
Glenn Oscar Barcus, Air Corps.  
Turner Ashby Sims, Jr., Air Corps.  
Samuel Wallace Van Meter, Air Corps.  
Alfred Henry Johnson, Air Corps.  
James Roy Andersen, Air Corps.  
Samuel Russ Harris, Jr., Air Corps.  
Shelton Ezra Prudhomme, Air Corps.  
John Paul Doyle, Jr., Air Corps.  
Leon William Johnson, Air Corps.  
Guy Beasley Henderson, Air Corps.  
Henry Raymond Baxter, Air Corps.  
Morris Robert Nelson, Air Corps.  
Kenneth Perry McNaughton, Air Corps.

## TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

## TO BE LIEUTENANT GENERAL

Delos Carleton Emmons, commanding general, General Headquarters Air Force.

## TO BE MAJOR GENERALS

Walter King Wilson	Benjamin Oliver Davis
Ernest Dichmann Peek	Sanderford Jarman
Fulton Quintus Cincinnati	Frank Maxwell Andrews
Gardner	John Francis Curry

## TO BE BRIGADIER GENERALS

Edward Marsh Shinkle	Walter Putney Boatwright
Gilbert Henry Stewart	Arthur Griffith Campbell
William Alexander McCain	Robert Clifton Garrett
Ulysses Simpson Grant 3d	Jack Whitehead Heard
Joseph Alexander Atkins	John Chilton McDonnell
Roland Webster Case	John Bernard Brooks
Norman Foster Ramsey	Clinton Warden Russell
Forrest Estey Williford	Carlyle Hilton Wash
Alexander Garfield Gillespie	Lewis Blaine Hershey
Ray Longfellow Avery	

## APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES

## GENERAL OFFICERS

*To be major general, National Guard of the United States*

Robert Sprague Beightler

*To be brigadier generals, Adjutant General's Department, National Guard of the United States*

George Ade Davis

Mervin Gilbert McConnell

## REAPPOINTMENT IN THE OFFICERS' RESERVE CORPS OF THE ARMY OF THE UNITED STATES

## GENERAL OFFICER

John Francis O'Ryan, Inactive Reserve, to be major general, Inactive Reserve.

## PROMOTIONS IN THE NAVY

## MARINE CORPS

*To be a brigadier general*

Charles F. B. Price

*To be a major*

LePage Cronmiller, Jr.

*To be a first lieutenant*

David L. Henderson

*To be a chief quartermaster clerk*

Homer Sterling

## SENATE

MONDAY, NOVEMBER 18, 1940

(Legislative day of Wednesday, September 18, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, Thou fountain of divine blessing, whose infinite mind dwells behind the shadows, and whose heart of love pulses beyond the stars: We acknowledge Thy presence in all the universe, and, with the faith that will not be quenched, we trust the infinite beneficence of Thy purpose, seeking only to order our lives in perfect harmony with Thine. Draw near to us, dear Lord, that, in the spirit of kindness and readiness to serve, we may manifest in the doing of our tasks this day a human sympathy for all suffering humanity and an active zeal for whatever may promote a wider happiness in our own beloved country and among the nations of the world.

Quicken our devotion to the highest, holiest principles of that perfect manhood revealed in our Lord and Saviour, Jesus Christ, in whose name and only for whose sake we dare to pray. Amen.

## THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Friday, November 15, 1940, was dispensed with and the Journal was approved.

## METHOD OF NUMBERING UNITED STATES LAWS

The ACTING PRESIDENT pro tempore (Mr. KING) laid before the Senate a letter from the Acting Secretary of State, relative to a projected alteration in the method of numbering of the laws of the United States, which was referred to the Committee on Printing.

## ERVINE J. STENSON

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation for the relief of Ervine J. Stenson, formerly senior clerk and special disbursing agent at the Southern Navajo Indian Agency, which, with the accompanying paper, was referred to the Committee on Claims.

## TARIFF INVESTIGATION AS TO CRAB MEAT

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Chairman of the United States Tariff Commission, reporting that, in accordance with the provisions of Senate Resolution 200, Seventy-sixth Congress, the Commission has instituted an investigation, under the provisions of section 336 of the Tariff Act of 1930, relative to crab meat, fresh or frozen, etc., which, with the accompanying paper, was referred to the Committee on Finance.

## SEPTEMBER 1940 REPORT OF THE RECONSTRUCTION FINANCE CORPORATION

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Chairman of the Reconstruction Finance Corporation reporting, pursuant to law, as to the activities and expenditures of the Corporation for the month of September 1940, including statement of loan and other authorizations made during the month, etc., which, with the accompanying papers, was referred to the Committee on Banking and Currency.

## REPORT ON THE FRANKLIN D. ROOSEVELT LIBRARY

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, the first annual report on the Franklin D. Roosevelt Library for the fiscal year ended June 30, 1940, which, with the accompanying report, was referred to the Committee on the Library.

## PETITIONS AND MEMORIALS

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the Thirty-third Annual Convention of the Atlantic Deeper Waterways Association at Richmond, Va., favoring the taking of prompt steps for the construction of the Atlantic Intracoastal Waterway in the interest of national defense, which was referred to the Committee on Commerce.

He also laid before the Senate the petition of Hyman Walter, of New York City, praying for the creation of the salaried post of poet laureate of the United States, which was referred to the Committee on the Library.

He also laid before the Senate a letter from Derek White, chairman, advisory board, National Aircraft Training Council, Los Angeles, Calif., offering his services and those of the council to the United States for the purpose of speeding up that portion of the national defense having to do with the production of airplanes, engines, and component parts, which, with the accompanying paper, was referred to the Committee on Military Affairs.

He also laid before the Senate a resolution of the annual meeting of the Hudson River Baptist Association, North, Schenectady, N. Y., protesting against the action of the State of New York Division of Alcoholic Beverage Control in authorizing manufacturers and wholesalers "to sell and deliver alcoholic beverages to post exchanges, canteens, officers, and regional messes within Federal military and naval reservations," which was referred to the Committee on Military Affairs.

He also laid before the Senate a telegram in the nature of a petition from R. G. Allen, of Dallas, Tex., praying for the prompt enactment of the so-called Walter-Logan bill and amendment of the Wagner Labor Act, and also remonstrating against final adjournment of the Congress, which was ordered to lie on the table.

## REPORT OF COMMITTEES

Mr. KING, from the Committee on the District of Columbia, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 4415. A bill to amend the act entitled "An act in relation to pandering, to define and prohibit the same, and to provide for the punishment thereof," approved June 25, 1910 (Rept. No. 2219);

H. R. 8665. A bill to provide for the issuance of a license to practice chiropractic in the District of Columbia to Lou Davis (Rept. No. 2217); and

H. R. 10418. A bill to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Peter Florey (Rept. No. 2218).

Mr. JOHNSON of Colorado, from the Committee on Interstate Commerce, to which was referred the bill (H. R. 10098) to amend section 204 of the act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes," approved February 28, 1920, reported it with an amendment and submitted a report (No. 2220) thereon.

## CONTROL OF REORGANIZED CHICAGO, MILWAUKEE, ST. PAUL &amp; PACIFIC RAILROAD CO. (REPT. NO. 25, PT. 21)

Mr. WHEELER (for himself and Mr. TRUMAN), from the Committee on Interstate Commerce, submitted an additional report, pursuant to Senate Resolution 71, Seventy-fourth Congress, authorizing an investigation of interstate railroads and affiliates with respect to financing, reorganizations,

mergers, and certain other matters, relative to control of the reorganized Chicago, Milwaukee, St. Paul & Pacific Railroad Co., which was ordered to be printed.

## BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PEPPER:

S. 4421. A bill for the relief of Mitchell Baryshanski; to the Committee on Immigration.

By Mr. McKELLAR:

S. 4422. A bill relating to the compensation of William J. Muse for services rendered as a clerk in the post office at Mountain City, Tenn.; to the Committee on Post Offices and Post Roads.

S. J. Res. 302. Joint resolution authorizing the President to invite foreign countries to participate in the Pan American Cotton Congress; to the Committee on Foreign Relations.

## FUNERAL EXPENSES OF THE LATE SENATOR PITTMAN

Mr. BARKLEY. Mr. President, on behalf of the Senator from Nevada [Mr. McCARRAN], I ask for the present consideration of the resolution which I send to the desk.

The ACTING PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 328) was read, as follows:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Acting President pro tempore of the Senate in arranging for and attending the funeral of Hon. Key Pittman, late a Senator from the State of Nevada, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, the rule requiring reference of the resolution to the Committee to Audit and Control the Contingent Expenses of the Senate will be waived, and the resolution will be adopted.

## ELECTION POLLS, ETC.

Mr. McKELLAR submitted the following resolution (S. Res. 329), which was referred to the Committee on Privileges and Elections:

*Resolved*, That a special committee of three Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete study and investigation with respect to polls, straw ballots, and published reports which (1) have purported to indicate how persons would vote or expected to vote or were likely to vote in primary elections or other elections in which Presidential electors or Members of the Senate or Members of the House of Representatives were to be elected or in which candidates for any of such offices were to be nominated, or (2) have purported to measure or indicate the state of public opinion about matters of national importance. The committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendations for any necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-sixth and succeeding Congresses, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

## COMMITTEE SERVICE

Mr. AUSTIN. At the request of the senior Senator from Oregon [Mr. McNARY], who is necessarily absent on public business, I ask for the adoption of the order which I send to the desk.

The ACTING PRESIDENT pro tempore. The order will be read.

The Chief Clerk read as follows:

*Ordered*, That the senior Senator from Minnesota [Mr. SHIPSTEAD] be excused from further service upon the Committee on Interstate Commerce, and that the junior Senator from Minnesota [Mr. BALL] be assigned to service upon said committee.



The ACTING PRESIDENT pro tempore. Without objection, the order is agreed to.

#### MR. WILLKIE'S LOYAL OPPOSITION ADDRESS

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD the address delivered by Hon. Wendell L. Willkie on Monday evening, November 11, 1940, on the subject of a loyal opposition, which appears in the Appendix.]

#### ORDER OF BUSINESS

Mr. CONNALLY. Mr. President, I wish to make an inquiry of the Senator from Kentucky as to the disposition which should be made of nominations which are pending. There are a number of nominations pending before committees, and I should like to know what the Senator has in mind. Some of them, I think, ought to be acted upon.

Mr. BARKLEY. Are they on the calendar?

Mr. CONNALLY. I do not know.

The ACTING PRESIDENT pro tempore. The Chair is informed that there are no nominations now on the calendar.

Mr. CONNALLY. There are none on the calendar. Several committees, however, have nominations before them but are not taking any action because of the situation which prevails.

Mr. BARKLEY. I think committees which have nominations before them may act on their own discretion as to whether they will report them now. If they shall report them, we will try to take action on them; otherwise I do not think we should attempt to put any pressure on the committees to make reports.

Mr. McKELLAR. Mr. President, if the Senator will yield, there are several nominations before the Appropriations Committee. We have not had time since I returned to act on them, and I should like to have the consent of the Senate to bring the nominations up a little later—tomorrow or a subsequent day—if the Senate should adjourn over.

Mr. BARKLEY. Have they been reported?

Mr. McKELLAR. They have not been reported, but are ready to be reported.

Mr. BARKLEY. We can take action on any nominations that have been reported.

Mr. SHEPPARD. Mr. President, the Committee on Military Affairs has agreed to report several nominations. They are not ready at the moment, but will be in a few minutes. I ask permission to report them when they arrive.

The ACTING PRESIDENT pro tempore. Without objection, permission is granted.

Mr. JOHNSON of California. Mr. President, can the Senator from Kentucky give us any information as to when the resolution for final adjournment will be acted upon?

Mr. BARKLEY. I will say to the Senator from California that it is understood that the House will act on such a resolution tomorrow. That, of course, assumes that a quorum of the House will be present, and I am assuming that there is or will be a quorum here tomorrow. It is understood that the House will take action tomorrow on the resolution.

Mr. JOHNSON of California. Then will the Senate, as soon as convenient, take up the resolution?

Mr. BARKLEY. That is the expectation; yes. I think if the House adopts the resolution it ought to be submitted to the Senate, and will be, as early as convenient.

Mr. BRIDGES. Mr. President, if the Senator will yield—

Mr. BARKLEY. I yield.

Mr. BRIDGES. There will be no vote in the Senate tomorrow on final adjournment, will there?

Mr. BARKLEY. I do not know as to that; I cannot say. If the House should send the resolution over tomorrow at an early hour in the afternoon, we probably would vote on it tomorrow. Otherwise, it would have to go over until Wednesday.

Mr. BRIDGES. When the vote comes in the Senate, then, will depend altogether on the action of the House?

Mr. BARKLEY. That is the way the matter looks at the present time; yes. Of course, there is no requirement that the House pass first on a resolution providing for final adjournment; but that has been the plan, and I suppose it will be carried out.

Mr. BRIDGES. Will the Senator tell us what form the resolution will take? Will it be a resolution for immediate adjournment?

Mr. BARKLEY. I cannot say at just what hour; but ordinarily the resolution provides that when the two Houses conclude their business on the day on which they act, or on some other day, they shall stand adjourned sine die.

Mr. SMITH. If the motion comes over from the House, it is a privileged motion, is it not?

Mr. BARKLEY. It is a privileged motion and is not debatable.

Mr. SMITH. And we will vote on it if we can get it up?

Mr. BARKLEY. Yes.

#### EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. BAILEY, from the Committee on Commerce, reported favorably the nomination of Wayne C. Taylor, of Illinois, to be Under Secretary of Commerce.

He also, from the same committee, reported favorably the nomination of JOHN J. DEMPSEY, of New Mexico, to be a member of the United States Maritime Commission for the term of 6 years from September 26, 1940, vice Henry A. Wiley.

He also, from the same committee, reported favorably the nominations or sundry officers for appointment or promotion in the Coast Guard.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nomination of Col. Perry M. Smoot, National Guard of the United States, to be Director of Selective Service for the Territory of Hawaii, under the provisions of law.

He also, from the same committee, reported favorably the following nominations of persons and officers to be State directors of selective service:

For Alabama: Brig. Gen. Benjamin M. Smith;

For Illinois: Paul G. Armstrong;

For Mississippi: Brig. Gen. Thomas J. Grayson;

For Nebraska: Brig. Gen. Guy W. Henninger;

For North Carolina: Brig. Gen. John Van B. Metts;

For South Dakota: Col. Edward A. Beckwith;

For Tennessee: Brig. Gen. Thomas A. Frazier;

For Texas: Brig. Gen. J. Watt Page, adjutant general of the State of Texas; and

For Wisconsin: Walter J. Wilde.

#### ADJOURNMENT

Mr. BARKLEY. If there is no further business for today, I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 8 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, November 19, 1940, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

MONDAY, NOVEMBER 18, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, with the spirit of gratitude in our hearts, we pray that with courageous endeavor we may be worthy of life's "well done"; herein is reality, simplicity, and the life splendid. Grant that we may have some token of Thy presence, being a covert for any who may be depressed, pursued, or who may be gazing to the past and refusing to behold the future with a mighty hope; help us all, dear Lord, to sing Thy praise, flaming again the lamps of a compelling faith that the cast-down shall not be forsaken, the wounded shall be healed, and those who are slain shall be brought gloriously to life. Let us harken unto Thy word: "Let no man glory in men, for all things are yours, whether Paul, or Apollas, or Cephas, or the world, or life, or death, or things present, or things to come; all are yours; and ye

are Christ's and Christ is God's. Almighty One, we humbly beseech Thee to perform a mighty miracle and command the sun of time to stand still until the armies of the Lord shall have driven afar the last Philistine and raise up the common brotherhood of man made powerful by the spirit of the Master. In His holy name. Amen.

The Journal of the proceedings of Thursday, November 14, 1940, was read and approved.

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States informed the House that he had, on October 29, 1940, approved and signed a bill of the House of the following title:

H. R. 10285. An act for the relief of Charles S. Ladinsky and Moe Kanner.

#### SELECT COMMITTEE TO INVESTIGATE THE INTERSTATE MIGRATION OF DESTITUTE CITIZENS

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### House Resolution 629

*Resolved*, That further expenses of conducting the investigation and study authorized by House Resolution 63 of the present Congress, incurred by the Select Committee to Investigate the Interstate Migration of Destitute Citizens, acting as a whole or by subcommittee, not to exceed an additional \$5,000, including expenditures for the employment of clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or subcommittee thereof conducting such investigation and study or any part thereof, signed by the chairman of the committee or subcommittee and approved by the Committee on Accounts.

With the following committee amendment:

Line 6, strike out "\$5,000" and insert in lieu thereof "\$3,000."

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Will the gentleman tell us how much was originally appropriated for this committee?

Mr. COCHRAN. Twenty thousand dollars was originally appropriated for the committee. It has a balance of about \$400. The committee has 10 days of hearings set for Washington during the month of December, and without this money it cannot function. The chairman of the committee appeared before the Committee on Accounts and gave a complete and satisfactory statement. This is a unanimous report from the Committee on Accounts.

Mr. MARTIN of Massachusetts. Will the gentleman tell us the reasons for the overdraft?

Mr. COCHRAN. The committee originally asked for \$25,000. The Committee on Accounts reduced that to \$20,000. The committee thought they could complete their work with that. They have had so many witnesses that it has been necessary, they claim, to spend a little more money than they expected to spend. I might add the committee only had about 6 months to do its work.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### ATTENDING PHYSICIAN'S OFFICE, HOUSE OF REPRESENTATIVES

Mr. COCHRAN. Mr. Speaker, I submit a privileged resolution from the Committee on Accounts and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### House Resolution 630

*Resolved*, That an additional assistant in the attending physician's office of the House of Representatives shall be paid the sum of \$30 per month from the contingent fund of the House until otherwise provided for by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Christian Science Monitor.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

#### UNDER SECRETARY OF WAR

Mr. SMITH of Connecticut. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4370) authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman from Connecticut tell us whether this legislation is an official request from the administration?

Mr. SMITH of Connecticut. It is an official request from the War Department, with the approval of the President. The bill has passed the Senate. It would allow the appointment during any period of national emergency, including the present period of limited emergency, of an Under Secretary of War, and the delegation, in whole or in part, to the Under Secretary of duties which are at present the duties of the Assistant Secretary. The Department has requested this legislation.

Mr. MARTIN of Massachusetts. I do not quite understand the reference to emergency. What is meant by that?

Mr. SMITH of Connecticut. The language of the Senate bill is as follows:

The President of the United States is hereby authorized, in his discretion, to appoint from civil life, by and with the advice and consent of the Senate, an Under Secretary in the Department of War to serve during any national emergency declared by the President to exist, including the present limited emergency.

This is not a permanent peacetime post, but because of the tremendous procurement program which is under way it is desired by the Department that an Under Secretary be appointed so that some of the procurement responsibilities now by law confined to the Assistant Secretary may be placed in the Under Secretary within the War Department. This would not increase the powers of the Department but would allow the Secretary to have the responsibility for placing those powers so as to improve the administration.

Mr. MARTIN of Massachusetts. Does the bill say that Congress in any way is giving its approval to any declaration of an emergency?

Mr. SMITH of Connecticut. I do not see where it does give any approval with respect to any emergency beyond what we have already legislated upon. There is no change in that respect.

Mr. MARTIN of Massachusetts. I am not quite so sure about that. As it is now a national emergency has been declared by the President but has not been promulgated by the Congress at any time. I understand this proviso would be putting the stamp of approval of Congress upon the declared emergency.

Mr. SMITH of Connecticut. I do not believe it would be approving a declaration of emergency. It would simply recognize that such a declaration has been made.

Mr. WOLCOTT. If the gentleman will yield, I want to call particular attention to the last sentence in the bill, which is a recognition by Congress of a limited emergency, something which we have not done directly as yet.

Mr. MICHENER. Further reserving the right to object, Mr. Speaker, this bill has the same language in it to which I called the attention of the House day after day and time after time before we recessed, and there has been a constant effort in every bill that came up here with respect to national defense to recognize in some way this so-called limited



emergency which was declared by the President in September 1939 without any authority. Is not that true?

Mr. SMITH of Connecticut. I do not believe there is any recognition in this bill beyond what we have already done.

Mr. MARTIN of Massachusetts. The gentleman does not particularly care for that language anyway, does he?

Mr. SMITH of Connecticut. The language is in the Senate bill, and if we left the language out it would make the appointment good at any time. This is an effort to restrict it to a time such as the present one. This language does not increase the powers but is a limitation upon the powers. The power would be more general if that language was stricken out.

Mr. MARTIN of Massachusetts. There seems to be considerable objection on this side to the language as it stands in the bill at the present time. I appreciate you may need an Under Secretary of War, and I do not wish to put any obstacles in the way of the War Department functioning properly and efficiently. I would suggest the gentleman withdraw his request for the present so that we may see if we cannot reach an agreement.

Mr. MAY. Mr. Speaker, will the gentleman yield to me?

Mr. SMITH of Connecticut. I yield.

Mr. MAY. Mr. Speaker, I would like to say to the gentleman that I made an effort all during the past week to see some of the Members of the minority side on the House Military Affairs Committee, and I wired to several of them, including the gentleman from New York [Mr. ANDREWS], and I have a wire here from him.

Mr. MARTIN of Massachusetts. That is all very well, but it happens you are asking for unanimous consent, and there are a good many Members over here who are a little skeptical about the proviso I mentioned. The bill has never been before the committee, and it seems to me it would be best to withdraw it for the moment.

Mr. MAY. The matter is very urgent and it is possible we may adjourn tomorrow, and if we do—

Mr. MARTIN of Massachusetts. You have not yet appointed the Assistant Secretaries we authorized a year ago. These matters are always more urgent here than they are in the Department.

Mr. MAY. The gentleman understands that the Air Corps is not so elaborate or extensive an activity as the entire War Department.

Mr. MARTIN of Massachusetts. No; but it is quite important for our national defense.

Mr. MAY. I understand it is very important, and the purpose of this request is to meet a temporary emergency, and this is not to be a permanent appointment.

Mr. MARTIN of Massachusetts. I suggest that the gentleman might just as well withdraw the request, because there is going to be objection as the bill now reads, and I think perhaps we can iron out the matter.

Mr. EDMISTON. Would the gentleman from Massachusetts object if the language referred to by him were stricken from the bill?

Mr. McCORMACK. Mr. Speaker, will the gentleman from Massachusetts yield to me?

Mr. MARTIN of Massachusetts. Certainly.

Mr. McCORMACK. As I understand the position of the minority leader, his objection is not so much to the appointment of an Under Secretary of War, provided it was a straight-out appointment?

Mr. MARTIN of Massachusetts. No; I think if the Secretary of War and the administration say they need one, they ought to have it.

Mr. McCORMACK. My inquiry of the gentleman from Massachusetts was to ascertain whether or not the objection on his side was more to the language used than to a bill authorizing directly the appointment of an Under Secretary of War.

Mr. MICHENER. Mr. Speaker, reserving the right to object, I cannot speak for anybody but myself, but I do not want this bill to go through by unanimous consent without the Congress understanding that they are in effect creating for all time an Under Secretary of War. We have never had an

Under Secretary in the War Department. We never had an Under Secretary in any of the departments until the Wilson administration, when it was contended that we should have an Under Secretary in the State Department because they had such a title overseas. We could best deal with foreign governments by having an officer of like rank, who was an Under Secretary.

Mr. EDMISTON. We have an Under Secretary of the Navy.

Mr. MICHENER. Wait a minute. If we create an Under Secretary here, we create an officer who is next only to the Secretary. He outranks all Assistant Secretaries in the Department. That is something we want to think about. We are setting up a new office, with a salary. We are doing something here that is of vital importance and which should not be done by unanimous consent. I do not want to be in the position of objecting because we have national defense. Some people will say, "You are hindering national defense"; but I say you are not hindering national defense when you are giving consideration to the creation of a new Cabinet officer, so to speak, who will serve down through the years. We can just as well take this up in the ordinary way and give proper consideration to it.

Mr. ARENDS. Will the gentleman yield?

Mr. SMITH of Connecticut. I yield.

Mr. ARENDS. Since this bill has not been before our committee, why can we not take it up before the committee tomorrow morning and dispose of it?

Mr. McCORMACK. My purpose was to find out whether the objection was to the language or to the bill itself.

Mr. MICHENER. If the gentleman is asking me, I certainly object to that form of language vitalizing the President's unlawful proclamation of a limited emergency.

Mr. McCORMACK. Would the gentleman oppose a bill authorizing the appointment of an Under Secretary of War without any other language?

Mr. MICHENER. I think we would be justified in denying it, without consideration. There are not 10 Members in this House who know what this is because they have not had an opportunity and they do not know what they are doing. This speed is not necessary as a matter of national defense today.

Mr. McCORMACK. Would the gentleman oppose a bill authorizing the appointment of an Under Secretary of War?

Mr. MARTIN of Massachusetts. I would suggest that the gentleman from Massachusetts [Mr. McCORMACK] refer the bill to the Military Affairs Committee and tomorrow morning we can take it up again.

Mr. McCORMACK. I was simply trying to see how far apart we were.

Mr. MARTIN of Massachusetts. Personally, I am not opposed to the creation of the office at this time. I am only opposed to the way the bill is framed.

Mr. SMITH of Connecticut. Mr. Speaker, I ask unanimous consent to withdraw the request temporarily.

The SPEAKER. Without objection, it is so ordered. There was no objection.

#### EXTENSION OF REMARKS

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting an address delivered by me on November 15, 1940, at Chicago, Ill., before the annual convention of the United States Saving and Loan League.

The SPEAKER. Is there objection?

There was no objection.

#### MEMBER-ELECT

The SPEAKER laid before the House the following communication from the Clerk of the House, which was read:

NOVEMBER 18, 1940.

The Honorable the SPEAKER, HOUSE OF REPRESENTATIVES.

SIR: There is transmitted herewith a letter from the secretary of state of the State of Colorado relative to the election of Hon.

WILLIAM E. BURNES as a Representative-elect to the Seventy-sixth Congress to fill the vacancy in the Third Congressional District of that State.

Respectfully yours,

SOUTH TRIMBLE,  
Clerk of the House of Representatives,  
By H. NEWLIN MEGILL.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask that that matter be held over until tomorrow.

The SPEAKER. The matter will be deferred, then, until tomorrow.

#### LEAVE OF ABSENCE

Mr. RICH. Mr. Speaker, I ask unanimous consent to absent myself for several days on account of the death of George Betts, cashier of the State Bank of Avis, Pa., with whom I have been associated for 25 years in business. I have a pair against adjournment with the gentleman from New Mexico [Mr. DEMPSEY] who is now in the Chamber.

The SPEAKER. Without objection, it is so ordered. There was no objection.

#### CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day, but at present the Chair does not see in the Chamber the Members who are usually present when that calendar is called, and if there is no objection the Chair will recognize the gentleman from Texas [Mr. JONES] for 20 minutes, under the special order heretofore entered.

Mr. CHURCH. Mr. Speaker, reserving the right to object, and I shall not object, I ask unanimous consent that following the gentleman from Texas [Mr. JONES] I may be allowed to address the House for 20 minutes.

The SPEAKER. If the gentleman will permit, several Members have spoken to the Chair asking that they be recognized to make some remarks about the gentleman from Texas [Mr. JONES] when he has concluded. The Chair would prefer that the gentleman from Illinois defer his request for a little while.

#### EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an Armistice Day address delivered by Hon. William G. Roberds.

The SPEAKER. Without objection, it is so ordered. There was no objection.

#### SIDELIGHTS ON CONGRESS

The SPEAKER. The gentleman from Texas [Mr. JONES] is recognized.

Mr. JONES of Texas. Mr. Speaker, to have served nearly a quarter of a century in this body of men, selected in the contests of the open forums of our land, has been a rare privilege. To me, even the cloakroom has been like a university education. Doctors, lawyers, economists, educators, farmers, merchants, and practically every business activity in America are represented. Every kind of a philosopher may be found in the cloakroom. Ideas and views are exchanged in perfect freedom. Notwithstanding the banter and good-natured raillery, there is frequently an underlying note of seriousness. In the friction of mind upon mind the truth is brought to light.

I shall not discuss the mechanical workings of the House of Representatives nor its part in the processes of free government. These have been discussed over and over. Rather, I shall mention some of the sidelights and interesting experiences gleaned from a number of years' service in this body.

I regard the House of Representatives as the greatest legislative body in the world. It gives accurate, thorough, and detailed consideration to all important legislative proposals. Its committee system, checked by full House discussion, assures well-considered legislation. These facts are well known and I shall not dwell upon them.

Good or bad or, perhaps, good and bad, this body represents a cross section of the American people. It is frequently criticized. That is one of the happy privileges of the citizen whose business it is to select the Members of the Congress. It is one of the attributes of free government. It is interesting to note that frequently those who criticize the Congress

in the severest terms make an exception of their own Representative whom they know and for whom they have a high regard. Congress being a large body, it is easy to blame it for all the ills of the economic system.

As a rule, the people in any particular district have a chance to know the character and ability and industry of their own Representative. They have a chance to be close to him. He is selected in an open contest in which every citizen of the State is permitted to enter, and in the selection of whom every resident citizen of the district is permitted to cast a ballot. If in making that selection a mistake is made in the type of the Representative chosen it is the fault of the people who live there and who make the choice. They are given an opportunity every 2 years to correct any mistake that may have been made.

Sometimes those who make criticism have a selfish motive to be served. Sometimes they do not believe in free government—at least they do not believe in representative government. Sometimes they are just chronic kickers. But in the main, I am persuaded to believe that the critics are simply exercising their prerogatives as American citizens. At any rate, it is a fine privilege to live in a country where every citizen is entitled to his free opinion and full liberty in expressing that opinion so long as he remains loyal to his country.

It has been my privilege for nearly 24 years to live with, to associate with, and to work with these chosen Representatives from every part of the Union. I have seen many of them come and go. I have served with nearly 2,000 Members. Only about 12 of the Members who were here at the time I entered the service are still Members of this body.

Based on that experience, I want to say that through these years, this has been an unusually capable body of men. To be a successful Representative, one must possess integrity, ability, courage, and industry. These qualities have been the rule and not the exception. In the rare instances in which men have been chosen who lacked in any of these qualities, they have soon been discarded as they are unable to properly serve either their districts or their country. This analysis, based on the facts, is a great tribute to the intelligence of the American people and their capacity for democratic government.

One of the noticeable things in connection with the service here is the spirit of fair play which exists among the members of the House. This, too, reflects the same spirit that in large measure prevails throughout the country. You sometimes hear a man spoken of as a good loser or a bad loser. Frequently this depends upon whether the winner is a good winner or a bad winner.

During our campaigns, sometimes in our enthusiasm we use rather strong terms. Frequently people visiting this country during campaign years wonder if there is going to be an uprising or a civil war or at least some riots. When the campaign is on and the Democrats are the majority party, I can prove by most any Republican that the Democrats are extravagant, wasteful, careless, incompetent, and in fact wholly incapable of administering the affairs of the Government. When the Republicans are in power no proof is necessary.

The next morning after a campaign is over and the votes have been counted, Bill, in walking down the street, meets his neighbor Tom. Tom says to Bill, "We licked you yesterday." Bill replies with a smile, "Yes, but we will get you next time." Tom replies, "You will never do it." They forget the contest and together they continue to build America. [Applause.] Bill is a good loser because Tom is a good winner.

In some countries, however, when an election is over, the losing party takes to the woods because they know that the winning party has guns and is likely to use them. They are poor losers because their adversaries are poor winners.

One of the basic principles of our land is the recognition of the rights of the minority and the protection of the rights of the individual. This helps to maintain the right to our free opinions without risking the loss of other things which we possess.

One of the most essential qualities of a good Representative is that of courage. Everyone loves a courageous man—one who is unafraid.



I have come to realize that there are many different kinds of courage. Frequently the one who makes a boast of his courage is not as courageous—when the pinch comes—as the one who makes little claim along this line.

The supreme test of courage is not the ability to show courage when one is given the credit for being courageous. Frequently people show so much admiration for real courage that even though they disagree with a man they still have an admiration for him and will support him, notwithstanding their difference in viewpoint. While it takes some courage to disagree even under these circumstances, this is not, in my judgment, the real test of courage.

The supreme test of any man's courage in a legislative way comes when he is required to show courage and yet be under the imputation of lacking in courage. I have seen this type of courage displayed on more than one occasion during my years of service. To be courageous when one gets credit for courage is a fine thing. To be courageous when one knows he will be misunderstood and that he will be charged in the minds of others with being a coward or lacking courage—that is the supreme test of courage and is courage in its highest form.

This body can be the most generous in the world. At other times it can be merciless. When a man deals frankly with it, when he is industrious and has something to say and will say it truthfully, no more generous audience can be found anywhere. On the other hand, if he is not informed, if he talks when he has only half-baked information, if he undertakes to deceive the House, the House can be merciless, even almost cruel.

One thing about the House, it soon gets a man's measure. It figures him out and labels him, unconscious though that classification may be.

In this body is a fine spirit of tolerance. The legislation that comes through the mill is based on the fusing of ideas and often is subject to many changes from the time of its original introduction to the time when it is finally enacted into law.

We often hear the statement made, "Why does not the Congress do this," or "Why does not the Congress do that." We are asked frequently why we do not vote for a particular measure which may include what seems to be a very desirable objective.

Like all new Members, when I first came to Congress I came with the idea of doing several things which I conceived to be worth while. I found that a Member rarely has an opportunity to vote on a measure which contains one single proposition. Rarely does he have an opportunity to vote on a measure which is written just as he would have it. Very often, from his viewpoint, there are good and bad features to any measure which is brought to a final vote, and he must determine whether the measure contains more of good or of bad.

Soon after I came to the Congress I introduced a measure in which I was very much interested. It was perhaps the only perfect measure which was ever introduced. I wrote it myself. It contained only a few lines. Not having so much else to do at that time, I buttonholed a great many Members on both sides of the aisle, and I think through sympathy as much as for any other reason, it was permitted to go through by unanimous consent. I was very happy over the result.

When it reached the Senate it was referred to a committee. They delayed several weeks while I grew impatient. Finally they struck out all after the enacting clause and inserted another bill. It went to conference and a measure was worked out that did not look like either of the other bills.

I thus early received a lesson in the fact that most all legislation is a matter of compromise and that there is a possibility of many changes before legislation is finally voted upon. In fact, that is the essence of democracy. It is not one man's opinion. It is the common sense of most. This explains, too, why it is often not wise for a Member to declare categorically whether he is for or against a measure when it is introduced. He may find that he has committed himself to a measure that may have entirely different provisions when the final vote is taken.

The processes of free government are slow. But with all its difficulties, with all the defects of a democratic government, it is the best that has been devised for a free people and is best calculated to enable them to remain free.

Behind the mechanics of government are the folks that make up the government. Behind the folks, or rather within the folks, are the attributes of character that enable a people to exercise the functions of government. What we sometimes term the government here in Washington is but the machinery or the harness of government. In the hearts, minds, and character of the people in the various communities that make up a country are the real elements of a free government.

Beyond these people, beyond these citizens, are the forces of creation and Nature's rules that are used by the people of the nation in building character and in shaping their conduct.

All about us are the hidden forces of Nature, planted there by an unseen power. Perfectly harmless elements, when chemically united, become terrific explosives capable of destroying buildings and even towns and cities. In other combinations these same elements can be made into all kinds of products that will help to build cities, save labor, produce health, and promote the happiness of the human race. In the eternal scheme of things, man is given the mastery over these elements.

These forces are a perpetual challenge to the best that is in man and a continuing temptation to the worst that is in our natures. In the conflict of these powers can be found the story of the progress and decay of man and of governments. Love and friendship are the primary building forces. Hatred and envy are the destroying forces of the world. All of these motives are the sources of power.

The songs of the ages have been about the struggle for power. The inspiring stories of the race have been about the same struggle. The fable of the wind and the sun, whether the pen is mightier than the sword, liberty and tyranny, the Hannibals and the Caesars, as contrasted with the principles of the Nazarene, are but reflections of that age-old struggle.

There is in the spiritual world, as in the material, decay and growth, and often from the ashes of decay arises the new growth in youth and joy.

Just now in many nations the material forces, the motives of hatred and envy, seem to have gained the upper hand. In these countries every effort is being made to build on material things alone and to suppress the finer motives of justice, friendship, truth, liberty, equality, manhood, and fair play. In some instances every attribute of civilization has been discarded. The dogs of war have been unleashed, and the forces of greed are preparing for a Saturnalia. If it keeps up the gaunt specters of poverty and want will stalk like hungry skeletons across the battlefields and into the broken homes of war-torn lands.

In the midst of all this apparent madness it is important that one great nation remain at peace. We can have far more effect as a stabilizing force than if we enter the insane struggle of destruction. I believe that the forces of love and friendship will finally prevail in the world.

Our Nation is based on individual opportunity, on the Bill of Rights, on freedom of speech, freedom of the press, freedom of religion, and freedom from every form of New and Old World caste and privilege. On this basic principle we have grown from simple beginnings to the proud position of freedom and power. We have had a hundred years of the richest experience that was ever crowded into a single century.

If any nation or any people from anywhere attacks us, every American worthy of the name will be willing to meet them at the water's edge and fight with every resource at our country's disposal. [Applause.] We covet the soil of no other country, but we are unwilling to surrender an inch of our own. Our Nation is at peace. We are interested in the arts of peace. Our thoughts and our hopes are forged in the atmosphere of a peaceful relationship with all of the peoples of the world.

But that does not mean that the forces of greed and avarice are not all around us. The Communists and other subversive groups of many kinds are sowing seeds of discord and unrest throughout our land. Our guaranty of free speech, free press, freedom of religion, and other rights do not extend to the border of treason. If any man on our shores, being unable to convince Americans of the wisdom of his ideas, advocates force or torch or a bomb to compel an unwilling majority to accept his opinions or theories, that man, if he is an alien, should be deported, and if he is a citizen, he should be confined where his false theories cannot be made dangerous to our country.

Un-American organizations which teach overthrow of our Government should be dissolved and forbidden. We want neither war nor revolution. We are perfectly willing for any other people to have any form of government they wish, but are unwilling for them to dictate the form of our own. [Applause.] We believe in the building forces of nature. We believe in the home, the school, the church, and the state as the four pillars of orderly civilization.

May I pause here to say that in my judgment the problem of the ownership of land is the problem of the ages. I had not intended to discuss legislation, but I do stop to express the hope that Congress will continue the provision it has made for the financing of the ownership of family-sized farm homes in the interest of the future of our country. [Applause.]

We believe in the peaceful solution of disputes between nations. No nation can win a modern war. Everyone who engages in it loses.

For thousands of years the earth has trembled beneath the tread of giant armies, and mankind has engaged in almost continuous strife. The issues have been settled beneath the smoke of battle, but the power of might does not determine the issue of right and wrong. Most of the pages of history are filled with this story.

Let America remain at peace. Let her send her white-winged messengers of commerce to all the ports of the world, carrying the message of hope to all peoples. That is the mission of America.

I entered my service here during the war session of the Sixty-fifth Congress. It is interesting to note how strangely similar are the discussions and actions of today and those of the period of 1917.

In every crisis men forget their differences of opinion in the interest of the common country. Selfish groups are largely forgotten and all seem willing to make sacrifices. So long as this remains true, our country will be safe.

It has been a proud distinction to serve as a Member of this body. I can think of no greater privilege. It will not be easy for me to leave the House of Representatives, where I have served so long and the work of which I have liked so much, but we cannot always choose the time and the place when changes are to be made.

The service here, while pleasant, is at the same time uncertain. One must cut loose from his business or profession, and the longer he remains away the more difficult it is to start over again. Even though this be true, I know of no one who regrets his service in this body. I am taking the liberty of paraphrasing and adding my own thought and expression to a parallel drawn by a great American I was privileged to know as a friend and counselor.

The sea of American politics is always interesting. The skies are rarely clear and the waters are never still. The tide ebbs and flows and the winds of controversy forbid the calm, yet there is magic in the lure of the voyage, and many craft of every type put out to sea.

Sometimes there are lights that temporarily dazzle and gleam, then vanish forever away. Sometimes a meteor, sweeping across the sky, will attract more attention and create more comment than the serene shining of a thousand stars. But the stars continue to shine long after the meteor has burned itself out.

Occasionally the skies are clear, giving happy promise of a safe voyage to all ships afloat. Then, almost without warning, the heavens become overcast and the waters become restless. Amid the flash of lightning and the rumble of distant thunder,

the storm king rushes upon the scene. The surface of the sea is lashed into a fury. The compass falls and many a promising vessel, far away from the charted course, drifts helplessly, with broken rudder, into hidden dangers and onto rocks and shoals. When the light clears and the tempest is done the shores of the political sea are strewn with the wrecks which carried with them unrealized hopes and disappointed ambitions.

Sometimes we wonder why men and women will try to sail this treacherous sea, with its storms, its waves, its eddies, and its whirlpools. Yet in their willingness to do so lies the final hope of a democracy. They that go down to the sea in ships must face its dangers. A people's government cannot survive unless its citizens are willing to take an interest in its affairs.

I believe in America and her institutions. Knowing something of the storms which our ship of state has weathered, I have implicit faith in the future of our country.

May the ships of all colleagues come safely into port. [Applause, the Members rising.]

The SPEAKER. The gentleman from Kansas [Mr. HOPE] is recognized.

Mr. HOPE. Mr. Speaker, I have listened with interest and pleasure to the splendid exposition of the American philosophy of government which has been given so well and eloquently by the gentleman from Texas. My pleasure, of course, has been tempered by the fact that this is the last time our distinguished friend will address us on this floor.

I have served with MARVIN JONES on the Committee of Agriculture for approximately 14 years, and during 9 of these years under his chairmanship. During most of this latter period I happened to be the ranking Republican member on the committee. There are many here who have known MARVIN JONES longer than I, who have known him in capacities in which I have not had the privilege of knowing him, but I think I have had an opportunity to know him very well through our association in committee work together. I can say no more, than that I respect him as a colleague and as a man and dearly love him as a friend.

MARVIN JONES served as chairman of the Committee on Agriculture during a period of time when there was more important agricultural legislation considered and enacted than during any similar period in our history. During his chairmanship the Committee on Agriculture has been one of the busiest committees in this House. It is a big job and a difficult one to serve as chairman of any important committee of the Congress. MARVIN JONES, in my opinion, has done a superb job as chairman of the great Committee on Agriculture. [Applause.]

The machinery of legislation is set up in such way that almost anyone as chairman of a committee can operate it; but we all know there is a lot of difference in the way in which any piece of machinery is operated, and that one man can get a great deal more work out of any machine than another. MARVIN JONES had a way of operating the machinery of legislation in his committee so as to produce a maximum of work with a minimum of friction. That is the mark of a good engineer and a good chairman.

MARVIN JONES possessed in a superlative degree the ability to get along with people. He had that fine quality which is really an art, of getting people to work for him and with him. The Committee on Agriculture has brought very few bills before the House during the time MARVIN JONES has been chairman which were not accompanied by a unanimous report. Never in those cases where serious differences of opinion existed has there been the least ill feeling, or the slightest thought on the part of the minority that they had not had a fair opportunity to present their views in the committee.

No committee in the House has had a better record for getting legislation enacted during the last 9 years than this one. That fact reflects the confidence which Members of the House on both sides of the aisle had in MARVIN JONES. They knew that a bill reported by his committee had been thoroughly studied and considered. They knew that he was fair and that he would not misrepresent a measure. They knew that he understood it and personally believed in its merits.



I am sure that today I speak for every minority member of the committee when I say we appreciate the fairness with which we have been treated and the thoroughness with which legislation has been considered in the committee. We admire our chairman for the able way he has presided over the committee and for the effectiveness with which he has presented the committee's bills to the House.

We are sorry to lose him. However, we realize that MARVIN JONES had made his mark in the legal profession before he came to the Congress. We know that he has an exceptionally keen legal mind, and is possessed of a fine judicial temperament. We are not surprised that a recognition of these qualities has resulted in his appointment to a high judicial post nor are we surprised or disappointed that he should choose to return to his first love, the law. Furthermore we know that whatever duty he may have owed to his constituency and to his country as a Member of this House has been well discharged and carried out. [Applause.]

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. AUGUST H. ANDRESEN. As a Member who has served with MARVIN JONES since 1925 with the exception of 2 years, I concur in everything the gentleman has stated with reference to our colleague. I would like to call the attention of the gentleman and the House to the valuable service that the members of MARVIN JONES' office staff in the committee and in his own office have rendered to us and to the country during his years of service. [Applause.] I feel that this is a very appropriate time to express our appreciation to them and also to express the hope that they may remain here to assist in the next few years the same as they have done in the past. [Applause.]

Mr. HOPE. I am very happy to concur in the statement just made by the distinguished gentleman from Minnesota, Mr. AUGUST H. ANDRESEN.

Mr. COX. Will the gentleman yield?

Mr. HOPE. I yield to my distinguished friend from Georgia.

Mr. COX. May I say for myself that I always get a kind of moral cleansing when I mix with the gentleman from Texas, MARVIN JONES, who is going away, leaving us with a deep sense of sadness. I want to join with his colleagues and all his friends in this House in saluting him, not only as a wise and good statesman but as a gentle, sweet man. [Applause.]

Mr. HOPE. I am happy, indeed, to concur in the splendid sentiments just expressed by the gentleman from Georgia. I know from my association with the gentleman from Texas, MARVIN JONES, that in the judicial field he is going to make the same splendid, shining record that he has made in the field of legislation, and whatever loss this Congress may suffer when he leaves will be the gain of the Federal judiciary.

I am sure I speak the sentiments of every one of the minority when I say that much as we regret the departure of the gentleman from Texas, MARVIN JONES, from this body, we are happy that he is going into a field of endeavor for which he is so well qualified, and we wish him pleasure, happiness, and success in this, and in all he may undertake in the future. [Applause.]

The SPEAKER. The Chair recognizes the gentleman from Mississippi [Mr. DOXEY].

Mr. DOXEY. Mr. Speaker and my colleagues on both sides of the aisle, I, too, share with you a heart of sadness to a great extent, yet gladness, for I want MARVIN JONES to get what he wants, because he deserves the best, and the best is none too good for him. [Applause.] I, like my colleague from Kansas, CLIFFORD HOPE, listened to this speech of MARVIN JONES as I have listened to a number of speeches of his, and never have I heard him talk in public or in private that he did not leave me something wholesome and worth while to think about and meditate upon. [Applause.]

MARVIN JONES has served a long time in this House from the Eighteenth District of Texas. He has represented 28 counties in his district, but MARVIN JONES is not alone from the Eight-

eenth District in Texas or from the great State of Texas. MARVIN JONES is of the entire 48 States in this great Nation of ours. [Applause.]

I have sat by his side for more than 10 years as a member of the Committee on Agriculture, and, whether at work or at play, never have I found MARVIN JONES other than a true gentleman, noble in his purposes, with high ideals and altruistic tendencies. MARVIN JONES is a real friend. He is leaving an everlasting imprint on this House and in the hearts of his colleagues and on the legislative history of this great Nation.

Mr. Speaker, I will not attempt to recite the work of our great House Committee on Agriculture under his leadership, but I want to briefly say, Mr. Speaker, that you know and I know we admire many men. We respect a great number of men in private and public life, but there are few men whom we love. I believe we love MARVIN JONES, and, speaking for myself, I know that I do, not because he is MARVIN JONES but because of his fine character, his noble life, and his high ideals, his helpfulness, and his great efforts to make life better for others as he travels down life's highway. The House will experience a great loss. We as individuals will experience a great loss. The Committee on Agriculture and the cause of agriculture generally will experience an irreparable loss. But, as has been said, the field which he now goes into—the judiciary—will be ripened and enriched. I, for one, know he is going to make the great judge he is capable of making; in fact, if I had my way, instead of appointing him as a judge of the Court of Claims, I would appoint him to the Supreme Court of the United States of America. [Applause.]

Mr. Speaker, MARVIN JONES will grace any bench. When I think of his leaving the House, I regret it, but I know that our best wishes go with him, and may I say that to know him is to love him. His friendship has ennobled and broadened my life and the lives of those who have had the privilege of working and being in close contact with him.

You know a man not only when you work with him and sit side by side with him in a committee room but when you fish and play together and enjoy periods of recreation. At all times MARVIN JONES has been a man whom we all know as a fine individual, a man who will stand hitched. You do not have to tie him. That is the kind of man that makes America great. That is the kind of man we appreciate. And that is the kind of man that MARVIN JONES is.

Mr. McCORMACK. Will the gentleman yield?

Mr. DOXEY. I yield to my distinguished majority leader.

Mr. McCORMACK. The remarks made by the distinguished gentleman is concurred in by every Member of the House without regard to party. Every one of us loves MARVIN JONES. Every Member who has ever served with him has the most profound feeling of respect for him. He is one of the outstanding men, not only during his period of service in the Congress but in the entire history of this great body under constitutional government. There is no Member who has occupied a more powerful position in this body—and this is based upon the fact he has earned it in this House—than the gentleman whom we honor today; and speaking for New England, and speaking for the northeastern section of the country, I join my friends from the southern part of the country and our friends from other sections of the country in honoring our friend and in expressing our regret that our distinguished friend the gentleman from Texas [Mr. JONES] is leaving this body; but may I say that the Federal judiciary is being greatly strengthened thereby.

New England joins with the other sections of the country in paying honor to one of America's outstanding men and one of the outstanding Members of the House in the entire history of this great body. [Applause.]

Mr. DOXEY. Mr. Speaker, of course we all concur in and appreciate those words from our distinguished leader the gentleman from Massachusetts, JOHN W. McCORMACK. I know we all have the feeling toward the gentleman from Texas, MARVIN JONES, that the gentleman from Massachusetts has so beautifully, so eloquently, and so touchingly expressed.

I could say many, many more things; but with it all, I can say is, Marvin, good luck, God bless you, and may the

happiest days of your past be the saddest of your future. We love you. We are going to miss you. We hope you will come to see us at every opportunity. You have always been an inspiration to us and you always will be. [Applause.]

Mr. GUYER of Kansas. Mr. Speaker, on an occasion similar to this in the Senate of Kansas the late Governor, Edward W. Hoch, the father of our former colleague, Justice Homer Hoch, of the Supreme Court of Kansas, said something like this about the associations of people of different political beliefs in legislative work. I am not certain I quote him correctly, but it was to this effect: "In the garden of the heart no sweeter flowers bud and bloom than those that clamber over the walls that divide political parties."

So often during my service in the House of Representatives I have thought of this sentiment of Governor Hoch and how very true it was.

And among the many friends I have known and loved on the other side of the isle I know no one to whom it applies with more force and truth than in the case of our beloved colleague from Texas [Mr. JONES]. For many years we enjoyed an early morning game of golf, and so to the associations in legislative work was added those of athletic competition and physical exercise with the exchange of sentiments covering a wide range of thought involving every subject from ethics and religion to mutual exchanges of the experiences of our lives from childhood to manhood. During these years we grew to know and understand each other in a very intimate manner. During these years I formed an exalted personal opinion of our good friend so that I have classed him among the most loved friends of my life along with my college classmate and roommate for 4 years, the late Dr. F. E. Kauffman, and my university classmate and roommate, the late Honorable E. K. Robinette.

These old college and university classmates and devoted friends have gone to the land of their dreams, and I cherish their memories among the dearest experiences of my life. Along with them I class my dear friend Congressman JONES, who is soon to become Judge JONES of the Court of Claims.

I know that the House shares my sentiments and good wishes in the new opportunity to serve his country where his even temperament, his fine balance of judgment, and legal discernment will find a rich field for exercise and usefulness. And I am sure, too, that we are all gratified that these new duties will not remove him from Washington so that our associations will not be completely severed.

I wish, in closing, to congratulate Mr. JONES upon his distinguished career in the House which marks him as one of the leaders of the Congress of the United States. I can pronounce no higher encomium. [Applause.]

Mr. MAHON. Mr. Speaker, because of the fact that I have recently had a slight throat operation, I cannot now pay tribute to my friend MARVIN JONES, but I should like the RECORD to show that I concur in all the good things that have been said about him.

As a result of the census of 1930 the congressional district of Mr. JONES was divided about in half. For many years he represented with much distinction nearly all of the 25 counties which I have represented since 1934. No words of mine could do proper credit to the brilliant record, the remarkably able leadership, and fine personal qualities of Mr. JONES. I honor him as much for his clean and wholesome personal qualities as I do for the qualities of statesmanship which have made him a national figure. [Applause.]

Mr. Speaker, I ask unanimous consent that all Members of the House may be permitted to extend their remarks at this point in the RECORD on the service in this House of the gentleman from Texas [Mr. JONES].

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, the voluntary retirement from Congress of my colleague and good friend MARVIN JONES, after 24 years as a Member of this House, is a cause of deep regret to me.

True, his new duties as a judge of the Court of Claims necessitates his remaining in Washington, but we shall miss the personal association with him, and his separation from the legislative branch of the Government will cause this House to lose his valuable service where, for nearly a quarter of a century, he has been one of its outstanding leaders in shaping and molding the legislative history of his country.

While MARVIN JONES took an active interest in all legislation of major importance, he specialized in legislation for the benefit of agriculture. For about 10 years he served as the chairman of the Committee on Agriculture. It is no exaggeration to say that no single individual who ever served in Congress did more for the farmers of America than did MARVIN JONES. He originated, sponsored, supported, and secured the passage of more constructive legislation for agriculture than any other Congressman within the history of the Republic.

A State is fortunate—a nation is fortunate in having a man of MARVIN JONES' character and ability in its service, and it is no wonder that his district for so many years sent him as their Representative to Congress with each recurring election, and would have continued to do so indefinitely, had he consented to serve longer.

The judicial branch of the Government, of which he now becomes a part, is, of course, equally important with the legislative, and MARVIN JONES is prepared by ability, character, and experience to acquit himself well in both. He has the judicial temperament in a marked degree. Possessing a high sense of justice, a sound and logical mind, an unimpeachable character of honesty and integrity and being an indefatigable worker, he will adorn with distinction the judicial position which he now assumes. The Nation loses an able legislator but it gains an able judge.

Since it will be impossible for all of the Texas Members of this House to pay him tribute, as Chairman of the Texas delegation in the House, I know that I speak the sentiment of every member of that delegation when I say that we shall sorely miss his wise counsel, his comradeship, his leadership, and his good fellowship. Our best wishes and affectionate regards shall abide with him forever. [Applause.]

Mr. THOMASON. Mr. Speaker, change is the inexorable law of nature, and we in this House come face to face with its results from day to day and from year to year. For one reason and another our colleagues leave through death, through defeat, through voluntary retirement. Since we must lose MARVIN JONES, I rejoice in the fact that it is the latter cause which takes him from our midst.

The loss we sustain in his retirement from Congress will be the gain of another branch of this Government. He goes to a seat on the Federal bench, where his outstanding legal talent and his unimpeachable personal integrity will bring to the problems that confront him the same ability, the same fairness, the same abundant energy that have made him a leader in Congress.

I have known Marvin longer than any other Member of this body. We came from the same county in Texas—Cook. We were boys there together. He lived at Valley View and I at Era. Our fathers were friends before us, his being a successful and intelligent farmer, mine a country doctor. It is no wonder he knows so much about agriculture for, as a boy, he did all kinds of farm work. When quite a young man he was a student of farm problems. We attended the local country schools, where both of us thought we were good baseball players. In those days he was more aristocratic than I, because he lived on the railroad and I did not. We both graduated from Southwestern University at Georgetown and later from the law school of the University of Texas. After leaving college we both went west, he to Amarillo and I to El Paso.

It is not surprising that he is a good man, for he was blessed with a fine father and mother. His mother is still living, and I take this opportunity also to wish her health and happiness.

Marvin came to Congress before I did, and when I reached Washington in 1931 he was first to welcome me and extend a hand in the work I was about to undertake. We had been



close and intimate before. We have been so since. I have had deep and lasting pleasure in this association, and my life is richer for his friendship.

His service to his district, his State, and this Nation as chairman of the important Committee on Agriculture cannot be overstated. During the time he has held this post the legislation sponsored by him which has become law has placed agriculture on a sound business basis and has brought hope and prosperity to the farmer, who theretofore had been engaged in a struggle to keep body and soul together.

Though he will be best remembered for his service to agriculture, his work in Congress comprehends all that is highest and best for the welfare, the peace, and the happiness of this Nation.

I shall miss him from my side in this House, where we have worked together for the past 10 years, but I wish him all success and contentment in that new field where he has chosen to labor. [Applause.]

Mr. FISH. Mr. Speaker, I have listened with great interest to the very remarkable speech made by the gentleman from Texas, MARVIN JONES, his farewell address to this House. For 20 years I have served with MARVIN JONES, and as a member of the minority I am glad to testify that in all these years there has never been a finer nor an abler Member of this House than he. He has rendered great service not only to his constituents but to his country as chairman of the Committee on Agriculture of the House of Representatives. What appealed to me more, perhaps, than anything else in his farewell address was his sincere and powerful plea for peace in America and keeping this country out of war. We who have served with MARVIN JONES will miss him, but at the same time we know that he is going into another important field of Federal service of his own accord. Therefore we wish him well, success, and Godspeed. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, it seems that nothing could be added to the many compliments that have been paid today to our distinguished colleague the gentleman from Texas, Hon. MARVIN JONES, who, after serving as a Member of this body some 24 years, is voluntarily giving up his place in Congress for the judiciary. But, Mr. Speaker, I cannot let this opportunity pass without joining in expressing my appreciation of the high quality and unselfish service rendered the Congress and the country by this distinguished Texan, whose home is only a few hours west of the district in Oklahoma that I have the honor to represent.

I have known MARVIN JONES for many years. I enjoyed a casual association with him before our close association together in this body. He has a host of friends and some distinguished relatives in the Sixth District of Oklahoma. When I came to Congress the gentleman from Texas was one of the first whom I sought out to ask for advice and counsel. I have found his judgment on all occasions to be sound and fair and his decisions invariably backed up by facts. He never goes off on a tangent or talks without knowing his subject or without thinking the matter through.

It has been interesting to watch him pilot much difficult and controversial farm legislation through this body. During all of the heated discussions, MARVIN JONES has never been known to lose his head or offend those who have disagreed with him. The gentleman from Texas is undoubtedly one of the ablest and most effective speakers in either House of Congress. With his good nature and even temper, sincerity of purpose, and good sense of humor, he has been able to steer legislation through this House that to others would have been a far more difficult task. His high ideals and keen sense of justice and fair play to all, under any and all circumstances, are among his outstanding characteristics.

I am sure that every Member of this body, irrespective of political affiliations, will really very much regret that MARVIN JONES has today delivered a farewell message to us and will soon relinquish the seat that he has occupied with so much distinction for nearly a quarter of a century. We shall also long cherish his invaluable advice and able counsel. In his address today, as on various previous occasions on the floor

of the House, he has given us and the country much food for thought.

The long legislative career of our distinguished colleague the gentleman from Texas, Hon. MARVIN JONES, has been a real inspiration to all of us. I am sure I speak the sentiment of each Member of the delegation in Congress from Oklahoma when I say that it is our sincere desire that he may have an even fuller life in the future than in the past; and though we know not to what summits his path may lead, whatever he may do and wherever he may go, we wish him Godspeed. [Applause.]

Mr. PIERCE. Mr. Speaker, 8 years ago next spring I came into this House, becoming a Member of it later in years than most Members. My first service was in the Committee on Agriculture in the spring of 1933. I was present during all the time we worked out the original A. A. A. Act, the greatest act that had up to that time been passed in the interest of the farming world. I believe it ranks next to the Homestead Act of Lincoln's time.

I shall never forget when Lindsay Warren walked down that aisle on January 6, 1936, and announced to this House, as we sat in dead silence, that the Supreme Court of this country had declared the original A. A. A. Act unconstitutional. I shall never forget the meetings of the Committee on Agriculture that followed.

Someone has said:

It is easy enough to be pleasant,  
When life flows along like a song;  
But the man worth while is the one who will smile,  
When everything goes dead wrong.

And things had certainly gone dead wrong in the Agricultural Committee. Our chairman smiled, and acted.

The work we had done and the hope that had entered the farming homes where they depended on surplus crops like wheat, corn, cotton, rice, and tobacco—all were gone. The other commodities under the original bill went out also, and we just wondered what would happen. Our chairman never lost his composure. He made trips to Departments and had several talks with the Committee on Appropriations. Finally, a large appropriation was made available. I have always believed that the then chairman of the Appropriations Committee, Mr. Buchanan, was largely actuated in granting that appropriation through personal friendship for the chairman of the Committee on Agriculture. He also had a firm belief that the money would be so distributed among the producing farmers that it would be a real and genuine benefit, and would not be wasted.

Out of that appropriation came the Soil Conservation and Domestic Allotment Act of 1936, followed by a similar act in the fall of that year, and the other legislation coming along in due time.

The farming world can never pay the debt it owes to the gentleman from Texas, MARVIN JONES. He is the one who has held the Committee on Agriculture to the line for its aid and assistance. We have seen him through these 8 years perform the work of a real statesman. I regard him as one of the ablest men I have met in my public life, and I want him to know that I appreciate his work and am sorry to lose his leadership on that committee. [Applause.]

Mr. KLEBERG. Mr. Speaker, you and I probably have known Marvin longer and more closely than any two Members of this House. It happens to have been my privilege to have been associated in the University of Texas with Marvin, both as a classmate in one course and under him as an instructor in another.

Having listened to those of you who have served with him here in the House speak about the natural qualities of the man, associations such as we have had grow to a point where words are utterly futile in drawing a proper picture. It has been my strange privilege to be the second member on the House Committee on Agriculture with Marvin. It has been my privilege to know him both from the standpoint of a valiant soldier fighting on the same side and also to know him as a formidable adversary. There are few men in this House that can appreciate the situation which developed on

an occasion when we were considering the passage of an agricultural act to take the place of the one so ably described by my colleague from Oregon, my distinguished friend, Governor PIERCE. The difference of opinion which occasioned that battle was so real as to have made it just about as definite a clash as could occur.

That fight was over and, in fact, had there been a change of just a few votes, I think probably I would have been more deeply wounded than Marvin in losing, because I would have realized that through me, his friend on the committee, he had lost one of his major fights on the floor. But, Marvin, God bless you, despite that battle, there has never been one single scratch on the surface of our friendship. There is not one flaw to be found throughout our long friendship.

So in the few moments when I pay tribute to my friend here I want to tell you there is not a bit of sadness in my heart, save that natural feeling of regret at being dissociated from the daily contacts we have had in our labors here on the floor, because I am going to argue with Marvin some more, and I am going to agree with him some more after he becomes a profound judge. He is one of those fellows who even in an argument gives you something. You know when you work with a real fellow you get something out of him, and when you fight against him, if you can learn something from him at the same time, you can kind of halfway understand what I am trying to tell you. So as a friend and as an opponent, statesman, and acquaintance of over half of the legitimate three score and ten that men are supposed to live, in Marvin's case I want to tell you good-bye, old pal, Godspeed, and I will be seeing you, and we will call you in that field, if we get into a jack pot, to come up and take part, and you cannot say "No." [Laughter and applause.]

Mr. PLUMLEY. Mr. Speaker, it is with a peculiar significance, as I see it, that, as the "entire delegation" from the State of Vermont, I rise at this time to say that my long-time friend, the gentleman from Texas, MARVIN JONES, representing a constituency so 100-percent American as I do, and I, are of the representatives of the two sole "independent republics" who denied to any government the right to dictate to us or to try to tell us what to do, any time, any place, or anywhere.

So all down through the years MARVIN JONES has stood here in my presence, the perfect representative of his constituency, not always with my partisan approval or appreciation but generally with my modified assent fundamentally, and has asserted the individualism of the average American. For that reason, and for many others, and since he has just told us that he is no longer to be with us—which I regret—I want to say, while I am gratified and honored by the fact that I have had an opportunity to be associated with him during these years, I am very sorry, and so is Vermont, that he is going; but I still feel that Texas and Vermont, true to their forebears, will carry on. Good luck. God bless you, Marvin. As one republic to another, I salute you. [Applause.]

Mr. FULMER. Mr. Speaker and Members of the House, I have had the privilege of serving in Congress for 20 years. During 18 of those short or long years I have had the privilege of serving with MARVIN JONES on the Committee on Agriculture.

It may be of interest to you to relate a little incident in regard to my committee assignment. When I came to Congress they gave me as my first committee appointment a place on the Committee on Indian Affairs. When I went back to South Carolina for reelection my opponent made this statement at every campaign meeting we held in the district:

My friends, for 17 years prior to the election of Mr. FULMER we have had Frank Lever in Congress, serving on the Committee on Agriculture. Now you have FULMER up there serving on the Indian Affairs Committee, and there is not a darned Indian in the district.

[Laughter.]

When I came back for my second term I told Mr. GARNER, chairman of the Ways and Means Committee, about these charges and that I had to get on the Committee on Agriculture, and I was given that appointment for my second term.

For 10 years I served on the minority of that committee with MARVIN JONES. During the remainder of the 20 years I

have had the privilege of serving with him on the committee, including the past 8 years under the Roosevelt administration, where he has served as chairman.

I want to join with other Members who have spoken in saying to you briefly that MARVIN JONES during all of these years has rendered that type of service that will be hard to match by any Member of Congress. He is a great parliamentarian.

He is the type of man who, because of his wonderful character and ability, is able and has been able to secure the cooperation of the various members of the committee, including the members of the majority as well as the members of the minority.

Because of his long service and his deep interest in agriculture, he has been able to render to his people, as well as the Nation as a whole, many years in helping to formulate and in passing many constructive agricultural bills.

His colleagues realize, out of our experience during all of these years in serving with him, that he is a lawyer of great ability.

The President of the United States has made no mistake in giving Marvin an appointment to the Federal bench. I make this statement because he is well qualified, and I am sure that history will record him as having rendered distinguished service as a judge.

On his retiring from his present position as chairman, perhaps I, as ranking member of the Agricultural Committee, more than anyone else, realize that we shall miss him, his leadership in the committee and in the House, his wonderful ability, backed by that wonderful personality and persuasive power which he possesses and which are so necessary in reporting and passing legislation in the House.

In closing I would like to make this further statement, which, no doubt, is responsible for the wonderful character and influence which he has on his colleagues. If you visit Marvin's private office, you will find on his desk a copy of the Bible, which clearly indicates to me and others who have had the privilege of visiting his office and being associated with him that certainly he must have been a reader of the Written Word, which, no doubt, has been helpful to him not only in his congressional work but in his life work.

To me this would clearly indicate that a man of this type cannot only hope to do great things in this life, but it places him in a splendid position to receive a "Well done" hereafter and that reward which is pending for those who love the Lord.

Marvin, along with others, I wish you many more happy and successful years. [Applause.]

Mr. SUMNERS of Texas. Mr. Speaker, it is not my purpose to add to the well-deserved words of compliments and of praise which we have heard from each side of the aisle and from every section of the country with reference to our distinguished friend.

On this occasion, in behalf of the Texas delegation and in behalf of Mr. JONES, I take the liberty to express the deep appreciation for the genuine words of compliment and of appreciation which have been paid to this son of Texas. In a peculiar way Texas is the child of the rest of the country. From every section of the country have come your sons and daughters who were willing to cut loose from the sustaining influence of family and to win or lose in that great section where the individual is given an opportunity and only the best man is permitted to win.

MARVIN JONES is the product of that community which has been created by the people of the Nation—that belongs to the Nation. We of the Texas delegation are grateful for these voices that come from the people of the Nation expressing appreciation for the service of this son of Texas. [Applause.]

Let me mention in particular one thing MARVIN JONES has contributed much toward, and I want to make this a part of the permanent RECORD: When I came to Congress agriculture was not regarded as a part of the economic system of this country. It was regarded as a sort of nurse animal for the rest of industry. It was not considered, speaking generally, that these 30,000,000 people whose business lay right next to the soil had the same right to make money for themselves as other people had. We were dealing then with production.



The whole program of the Department of Agriculture dealt with production regardless of what the commodity brought when production had been completed. MARVIN JONES took the position in which I shared that it was all right to make two blades of grass grow where one grew, provided that when the two blades of grass were grown they brought a higher price than the one blade brought. MARVIN JONES did much toward making the entire Nation conscious of the fact that the farmers are producing to sell for profit in order that they may obtain the things they buy, and that it is impossible, utterly impossible, to prevent economic paralysis in this country if the buying power of these 30,000,000 people is paralyzed. In the rendition of this particular specific service MARVIN JONES unquestionably made a contribution to the farmers of this country, but he made a contribution also to the Nation as a whole that entitles him to the appreciation of the entire Nation.

Again in behalf of the Texas delegation I want to thank these Members from the other sections of the country for having so generously expressed their appreciation of our colleague whom we all love, whom we all honor, and whom we all wish Godspeed. [Applause.]

The SPEAKER. The Chair recognizes the gentleman from Connecticut [Mr. SMITH].

#### UNDER SECRETARY OF WAR

Mr. SMITH of Connecticut. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4370) authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties.

Mr. ARENDS. Mr. Speaker, reserving the right to object, will the gentleman explain to the House the purpose of the amendment I understand he expects to offer?

Mr. SMITH of Connecticut. I expect to offer an amendment which will remove any question about the national emergency by setting a definite limit on the operation of this act January 20, 1945. I believe this meets the objection raised by the members of the minority as to the uncertainty of the language in the Senate bill.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will the gentleman designate what his amendment does?

Mr. SMITH of Connecticut. The amendment will strike out the words "to serve during any national emergency declared by the President to exist, including the present limited emergency", and will add, "The provisions of this act shall cease to have effect on January 20, 1945, unless continued in force by a subsequent act of Congress."

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the President of the United States is hereby authorized, in his discretion, to appoint from civil life, by and with the advice and consent of the Senate, an Under Secretary in the Department of War to serve during any national emergency declared by the President to exist, including the present limited emergency. The Under Secretary of War shall perform such duties as may be prescribed by the Secretary of War or required by law and shall be next in succession to the Secretary of War during his absence or disability or in the event of a temporary vacancy in that office. In prescribing the duties to be performed by the Under Secretary of War, the Secretary of War may prescribe any of the duties now prescribed by law to be performed by The Assistant Secretary of War. The compensation of the Under Secretary of War shall be at the rate of \$10,000 per annum. The Assistant Secretary of War, next after the Under Secretary of War, shall hereafter succeed to the duties of the Secretary of War during his absence or disability, or in the event of a temporary vacancy in that office.

Sec. 2. That the first two paragraphs of section 5a of the National Defense Act, as amended by the act of June 4, 1920 (41 Stat. L. 764), be, and the same are hereby, amended to read as follows:

"Sec. 5a. Hereafter the Secretary of War, in addition to other duties imposed upon him by law, shall be charged with the supervision of the procurement of all military supplies and other business of the War Department pertaining thereto and the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs, and he may assign to the Under Secretary of War and The Assistant Secretary of War such duties in connection therewith as he may deem proper. There shall be detailed to the offices of the Secretary of War, the Under Secretary of War, and The Assistant Secretary of War from the branches engaged in procurement such numbers of officers and civilian employees as may be authorized by regulations approved by the Secretary of War.

"Chiefs of branches of the Army shall report regarding all matters of procurement direct to the Secretary of War, the Under Secretary of War, or The Assistant Secretary of War, as the Secretary of War shall have prescribed. The Secretary of War shall cause to be manufactured or produced at the Government arsenals or Government-owned factories of the United States all such supplies or articles needed by the War Department as said arsenals or factories are capable of manufacturing or producing upon an economical basis. All appropriations for manufacture of matériel pertaining to approved projects which are placed with arsenals, Government-owned factories, or other ordnance establishments shall remain available for such purpose until the close of the next ensuing fiscal year."

Mr. SMITH of Connecticut. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Connecticut: Page 1, line 6, after the word "War", strike out all down to and including the word "emergency" in line 8.

The amendment was agreed to.

Mr. SMITH of Connecticut. Mr. Speaker, I offer a further amendment.

The Clerk read as follows:

Page 3, after line 19, insert a new paragraph, as follows:

"The provisions of this act shall cease to have effect on January 20, 1945, unless continued in force by a subsequent act of Congress."

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Connecticut. I yield.

Mr. CHURCH. Would the gentleman mind modifying his amendment to strike out the word "subsequent"? With this modification the amendment then is clearly within the gentleman's expressed intention. The word "subsequent" might be construed to mean after 1945.

Mr. SMITH of Connecticut. Mr. Speaker, I accept the modification and ask unanimous consent to modify my amendment by striking out the word "subsequent."

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The SPEAKER. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Connecticut as modified: Page 3, after line 19, insert a new paragraph, as follows:

"The provisions of this act shall cease to have effect on January 20, 1945, unless continued in force by an act of Congress."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. The gentleman from Virginia [Mr. FLANNAGAN] is recognized.

#### TOBACCO QUOTAS

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4374) to amend the Agricultural Adjustment Act of 1938.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the purpose of the bill?

Mr. FLANNAGAN. Mr. Speaker, this bill has two objects in view. Heretofore flue-cured and dark air-cured tobacco have been grouped together and consequently only one referendum has been held for both types. Due to the war situation, there has been a greater decrease in the exportation of fire-cured tobacco than there has been of dark air-cured tobacco and it is necessary, in fixing quotas, that separate referendums be held—that is, a separate referendum covering each type.

The other part of the bill changes the base period. When the original A. A. A. was introduced a special period was given to tobacco, due to the fact that we were unable to find a period that really reflected what we called parity price. The general provision in that bill provided a base period from 1909 to 1914 as to all farm products covered by the bill except tobacco, and as to tobacco the period was from 1919 to 1929, due to the fact that tobacco prices during that period more nearly reflected parity. During the last 15 or

20 years there has been a greater consumption of cigarette tobacco, which has resulted in changing materially the method of producing tobacco. A cigarette leaf has to be a finer leaf; you have to space your tobacco closer; and when you do that you require more labor and you get a lighter tobacco.

We are asking that the period now be changed so as to more nearly reflect parity. The bill has been approved by the Department of Agriculture and by the Senate and House committees, and it has the unanimous support of all Representatives from the tobacco districts.

Mr. MARTIN of Massachusetts. Has this been approved by the Agricultural Adjustment Administration?

Mr. FLANNAGAN. Yes.

Mr. MARTIN of Massachusetts. And by the Committee on Agriculture of the House?

Mr. FLANNAGAN. Yes.

Mr. MARTIN of Massachusetts. And there is no opposition?

Mr. FLANNAGAN. I have not heard of any.

Mr. REECE of Tennessee. Will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Tennessee.

Mr. REECE of Tennessee. Mr. Speaker, in changing the base period for burley and flue-cured tobacco under the bill S. 4374, the parity price for burley tobacco will be increased from approximately 17.2 cents per pound to 21.8 cents per pound with prevailing price levels. This change is in line with changes which have been occurring in the tobacco industry. Over a period of years the proportion of our burley tobacco which is used in cigarettes has increased materially. In the 5 years 1909-13 about 1½ percent of the burley tobacco was used in the manufacture of cigarettes. This percentage increased to about 40 percent in the 10 years 1920-29, to a little over 57 percent in the 5 years 1935-39, and to a little over 59 percent in 1939. The growing of burley tobacco always has required a great deal of labor. The change in the industry under which more burley tobacco has been used in cigarettes has caused farmers to change their practices so as to have more of their tobacco suitable for use in cigarettes. In making this change they grow a lighter type of tobacco and have to handle a greater number of leaves to make a pound. Today the average acreage of burley tobacco per farm is only about 1.6 acres. Every leaf of tobacco has to be handled separately several times. Therefore, you have a situation in which farmers do more work to sell a pound of tobacco. This change has been reflected in the change in price relationships for burley tobacco as contrasted with other commodities. In order to take this change into account and to give burley farmers a fair parity price for the tobacco the proposed change in the base period seems to be needed.

Mr. MICHENER. Mr. Speaker, reserving the right to object, is this the bill that was called up under suspension of the rules and by unanimous consent on numerous occasions during the last month?

Mr. FLANNAGAN. Yes; this is the same bill.

Mr. MICHENER. And there was much opposition to it. It was abandoned.

Mr. FLANNAGAN. I may say the opposition was due to the fact that the membership was not acquainted with the true facts. Since then we have communicated with all Members whom we thought were interested, including the gentleman from Kansas [Mr. HOPE] and the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], and we have their approval. They have no objection to this legislation. The gentleman from Tennessee [Mr. REECE], who has just spoken, comes from a great tobacco district, and I think he will confirm the statement I am making.

Mr. MICHENER. There is no question that the people coming from the tobacco districts would be interested. That is the natural thing. This does not cost any more money, does it?

Mr. FLANNAGAN. No.

Mr. MICHENER. But it will take the money appropriated for parity payments—possibly not this year, but a reallocation

will be made, and it will take something away from wheat, corn, and cotton and give it to tobacco?

Mr. FLANNAGAN. No.

Mr. MICHENER. That is what the bill does.

Mr. FLANNAGAN. I think the gentleman is mistaken in that statement. Of course, it does not apply to any appropriations that have been made. A special provision in the bill takes care of that. The gentleman surely will not take the position that tobacco is up to parity and that tobacco growers in the future should not be entitled to parity payments?

Mr. MICHENER. I do not know anything about tobacco, but where we pass a law and there are certain commodities, like tobacco, wheat, and cotton, receiving subsidies in the shape of parity payments, we should not by unanimous consent change the picture so that another commodity will receive payments that would eventually—not this year but next year possibly—go to other commodities, and take away from the other commodities the amount of money authorized for those commodities.

Mr. REECE of Tennessee. As I understand it, the enactment of this amendment will work no injustice or hardship upon any other commodity, and I may also say for the benefit particularly of the gentleman from Michigan, whose industry must be highly commended, because there is no Member of the House who looks after the interests of what he conceives to be those of the country at large any more assiduously than the gentleman from Michigan, that no parity payments have been made to tobacco growers. The chief effect of this will be to help hold up the price of the commodity in the interim. It is not anticipated that any parity payments will be made in the future, but since this inequality has developed, an injustice is being done to the industry incidentally.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That paragraph (15) of subsection (b) of section 301 of subtitle A of title III of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the words—  
"Fire-cured and dark air-cured tobacco, comprising types 21, 22, 23, 24, 35, 36, and 37;"

and inserting in lieu thereof the following:

"Fire-cured tobacco, comprising types 21, 22, 23, and 24;

"Dark air-cured tobacco, comprising types 35 and 36;

"Virginia sun-cured tobacco, comprising type 37;"

Sec. 2. That section 312 of subtitle B of title III of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out subsections (b), (d), (e), and (f) of such section, by striking out all of the second sentence in subsection (c) of such section, and by changing the subsection designation "(c)" therein to "(b)."

Sec. 3. The last sentence of section 301 (a) (1) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended to read as follows:

"The base period in case of all agricultural commodities except tobacco shall be the period August 1909 to July 1914. In the case of all kinds of tobacco except burley and flue-cured such base period shall be the period August 1919 to July 1929, and, in the case of burley and flue-cured tobacco, shall be the period August 1934 to July 1939; except that the August 1919-July 1929 base period shall be used in allocating any funds appropriated prior to September 1, 1940."

Sec. 4. That section 301 (b) (15) of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the period at the end of the last sentence thereof and adding a colon and the following: "Provided, That any one or more of the types comprising any such kind of tobacco shall be treated as a 'kind of tobacco' for the purposes of this act if the Secretary finds there is a difference in supply and demand conditions as among such types of tobacco which results in a difference in the adjustments needed in the marketings thereof in order to maintain supplies in line with demand."

Sec. 5. That section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out subsection (b) thereof.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. LAMBERTSON asked and was given permission to revise and extend his own remarks in the Record.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative program today, and



following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the bills on the Consent Calendar.

#### PASSAMAQUODDY BAY

The Clerk called the joint resolution (S. J. Res. 57) authorizing the Secretary of War to cause a completion of surveys, test borings, and foundation investigations to be made to determine the advisability and cost of putting in a small experimental plant for development of tidal power in the waters in and about Passamaquoddy Bay, the cost thereof to be paid from appropriations heretofore or hereafter made for such examinations.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### TOLL BRIDGE ACROSS THE MISSOURI RIVER, OMAHA, NEBR.

The Clerk called the next bill, H. R. 7069, authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### CROP-LOAN LAW

The Clerk called the next bill, H. R. 7878, to amend the crop-loan law relating to the lien imposed thereunder, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### UNITED STATES AGAINST DOHENY EXECUTORS

The Clerk called the next bill, H. R. 4366, to authorize the payment of additional compensation to special assistants to the Attorney General in the case of United States against Doheny Executors.

Mr. WOLCOTT. Mr. Speaker, inasmuch as there is a minority report filed on this bill, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### CHANGING THE TIME OF THE APPOINTMENT OF PRESIDENTIAL ELECTORS AND THE ELECTION OF SENATORS AND REPRESENTATIVES IN CONGRESS

The Clerk called the next bill, H. R. 8700, to change the time of the appointment of Presidential electors and the election of Senators and Representatives in Congress.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### PRINTING OF SPEECHES AND WRITINGS OF EDMUND BURKE

The Clerk called the joint resolution (H. J. Res. 307) to provide for the printing of the speeches and writings of Edmund Burke as a House document.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### BIOGRAPHICAL DIRECTORY OF THE AMERICAN CONGRESS

The Clerk called the concurrent resolution (H. Con. Res. 54) authorizing the printing of a revised edition of the Biographical Directory of the American Congress up to and including the Seventy-sixth Congress.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the concurrent resolution be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### DESIGNATING THE PERSON WHO SHALL ACT AS PRESIDENT UNDER CERTAIN CIRCUMSTANCES

The Clerk called the next bill, H. R. 9462, designating the person who shall act as President if a President shall not have been chosen before the time fixed for the beginning of his term or when neither a President-elect nor a Vice President-elect shall have qualified.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### OBLIGATIONS TO CERTAIN ENROLLED INDIANS

The Clerk called the next bill, H. R. 5944, to carry out certain obligations to certain enrolled Indians under tribal agreement.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### OLYMPIC NATIONAL PARK

The Clerk called the next bill, H. R. 6559, to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, this bill sets up a judicial tribunal within the executive establishment, and for that reason I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### FRED B. WOODARD

The Clerk called the next bill, H. R. 9432, to limit the operation of sections 109 and 113 of the Criminal Code, and section 190 of the Revised Statutes of the United States with respect to certain counsel.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### PLACES OF CONFINEMENT OF PERSONS CONVICTED OF A FEDERAL OFFENSE

The Clerk called the next bill, H. R. 9954, to amend section 7 of the act of May 14, 1930 (46 Stat. 326; U. S. C., title 18, sec. 753 f), relating to places of confinement and transfers of persons convicted of an offense against the United States.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 7 of the act of May 14, 1930 (46 Stat. 326; U. S. C., title 18, sec. 753 f), is amended to read as follows:

"Sec. 7. Hereafter all persons convicted of an offense against the United States shall be committed, for such terms of imprisonment as the court may direct, to the custody of the Attorney General of the United States or his authorized representative, who shall designate the places of confinement where the sentences of all such persons shall be served: *Provided,* That any sentence of imprisonment for an offense punishable by imprisonment for a term of 1 year or less shall not be served in a penitentiary except with the defendant's consent. The Attorney General may designate any available, suitable, and appropriate institutions, whether maintained by the Federal Government or otherwise, or whether within or without the judicial district in which the person was convicted. The Attorney General is also authorized to order the transfer of any person held under authority of any United States statute from

one institution to another if in his judgment it shall be for the well-being of the prisoner or relieve overcrowded or unhealthful conditions in the institution where such prisoner is confined, or for other reasons."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GEN. ANDREW PICKENS

The Clerk called the next business, House Joint Resolution 369, to provide for the erection of a shrine or monument to the memory of Gen. Andrew Pickens.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### KELLEY HOMESTEAD NEAR ELK RIVER, MINN.

The Clerk called the next business, House Joint Resolution 376, authorizing the Secretary of Agriculture to accept from the National Grange a lease of the Kelley homestead near Elk River, Minn., and providing for its development and maintenance.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### VESSELS FOR STATE NAUTICAL SCHOOLS

The Clerk called the next bill, H. R. 10315, to authorize the United States Maritime Commission to furnish suitable vessels for the benefit of certain State nautical schools, and for other purposes.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### MIAMI INDIANS OF INDIANA

The Clerk called the next bill, H. R. 2306, conferring jurisdiction upon the Court of Claims, with right of appeal to the Supreme Court of the United States, to hear, examine, adjudicate, and enter judgment in all claims which the Miami Indians of Indiana who are organized and incorporated as the Miami Nation of Indians of Indiana may have against the United States, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I think when a man is put in the position of asking that a bill go over without prejudice or objects to the consideration of a bill, he owes the country or at least those interested an explanation.

There has come to my attention a card which was sent out rather promiscuously by the California Indian Rights Association, Inc., in respect to Indian bills. It reads as follows:

DEAR INDIAN FRIENDS: Don't be fooled by the Willkie letters. Republicans don't keep their platform promises. Republican Congressmen prevented a vote on your California Indian bill in Congress on September 30 and again on October 7. No Democrats opposed it. HARRY SHEPPARD is the one that got it on the calendar for you.

The Roosevelt administration has given us Indians work in the I. E. C. W., in the C. C. C.-I. D., and the W. P. A., and has supported our legislation in Congress for California Indians. No Republican administration ever gave us work. Don't desert your friends. Vote for Roosevelt and vote for SHEPPARD in his district. All Democratic Congressmen now in Congress have supported your bill. Vote for your friends.

Signed by the California Indian Rights Association, Inc., 321 West Third Street, Los Angeles, Calif. Postmarked at Los Angeles, Calif., dated November 1, 1940.

The remark which I made that the people interested have the right to know why we pass these bills over or object to them is made because of that post card.

Now, in this particular bill there is granted jurisdiction to the Court of Claims to hear the claims of these particular Indians. The bill provides that the court shall consider all such claims de novo, upon a legal and equitable basis and

without regard to any decision, finding, or settlement heretofore had in respect to any such claim.

This is a rather novel departure in legislation, whether it be for the Indians or anyone else, and I may say that I have no purpose in denying the Indians or any other class of people or individuals the right to present their claims. This removes the statute of limitations, thereby discriminating against a great body of American citizens who are denied the right to present claims by operation of the statute of limitations.

It provides that such suits or causes of action shall be advanced on the docket of the Court of Claims and by the Supreme Court of the United States if the same shall be appealed. In other words, this bill gives a preferred status to these claims. All other Government business that is on the docket of the Court of Claims and the Supreme Court of the United States must be shunted aside to hear these cases. Now, an appeal differs from certiorari, by which suits are usually taken to the Supreme Court, in that when an appeal is taken the Court gives consideration to the facts as presented by the record, while under this bill the facts are presented de novo. In certiorari, by which all other citizens must take their grievances to the Supreme Court, only a question of law is involved. So we differentiate between these citizens, the Indians, and all other citizens of the United States in giving them a preferred status, and now let us see what the record shows further in this respect.

In this particular case, according to the letter signed by Harold L. Ickes, Secretary of the Interior, to the Honorable WILL ROGERS, Chairman of the Committee on Indian Affairs, under date of September 18, 1939, the records show that the obligations of the United States under the treaty as amended were fully discharged.

He goes on further to say:

This would recognize the Indians as being entitled to an annuity of \$25,000 for each year since 1855 and would require the court to deduct from the total amount due for those years the amount paid for the release of the annuity and render a judgment for the difference. Moreover, the bill would create a liability where none now legally or equitably exists, requiring the United States to pay \$25,000 annually forever to these Indians, a large if not the greater portion of whom (the Miamis of Indiana) are not tribal Indians and have not been subject to the supervision and control of the Federal Government since 1881.

Further he says:

The annuity was released and relinquished for a valuable consideration which was paid in full many years ago, and there is no justification for its reinstatement.

In this respect, if the Republicans object—and I shall object to the bill—they will merely be following the advice of the Democratic Secretary of the Interior, Harold L. Ickes.

Mr. COCHRAN. Will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. COCHRAN. I placed in the RECORD a letter that I received from the Department of Justice in reference to this bill, in which the present Attorney General voiced certain objections and stated it would be unfair to the Government to pass the bill in its present form. You will find in the report a letter from the General Accounting Office. That report was based upon the original bill. I have a letter from the General Accounting Office, in which the General Accounting Office says that subsequent to the making of that report on the original bill the Committee on Indian Affairs submitted a committee print of the bill, which was considerably different from the original bill, and there is objection taken to that bill. So it is rather misleading to find in the report a letter from the General Accounting Office approving this bill. On the contrary, it does not approve the bill that is before the House at the present time.

I will state to the gentleman that I will absolve the Republican minority of the sole responsibility of stopping all Indian claim legislation. I have objected to them for a number of years, and I am going to continue to object to resolutions that will place the Government at a disadvantage when the time comes to defend a suit.

Mr. WOLCOTT. I want to say to the gentleman from Missouri that he has worked assiduously on these bills, and, in



my opinion, there has not been any meritorious Indian bill presented on the floor of this House while I have had anything to do with this calendar, that the gentleman from Missouri did not withhold his objection, and help in its enactment. On frequent occasions I have known of the gentleman to discuss the bill in an intelligent manner, and the bill was passed which otherwise would not have been passed. As far as I am concerned, I stand not as the representative of any party but as an individual in trying to protect these colossal steals from the Treasury of the United States. At the present moment, according to the report of the Attorney General, there are over \$3,000,000,000 of Indian claims now pending in the Court of Claims, under authorizations passed by Congress, going way back, in some instances, to Revolutionary War days.

Mr. MAY. Will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. MAY. Inasmuch as the question of responsibility of parties has been raised, I would like to inquire of the gentleman where he gets the idea that Mr. Ickes is a Democrat, and since when? [Laughter.]

Mr. WOLCOTT. Well, he surely is not credited as being a Republican. I want to make the very definite statement, if there is any question on the record as to whether Mr. Ickes is a Republican or not; now and forevermore, in behalf of the Republican Party, I and we repudiate him.

Mr. MAY. Well, will the gentleman admit that he opposes this bill which the gentleman says is a bad bill?

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COCHRAN, Mr. CHURCH, and Mr. WOLCOTT objected.

#### OIL AND GAS LEASES

The Clerk called the next bill, H. R. 10402, to amend the act relating to rentals in certain oil and gas leases.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SHEPPARD. Mr. Speaker, reserving the right to object, I would like an explanation of the bill by the person who filed it.

Mr. WOLCOTT. I do not know anything about it. I do not have any objection to it.

Mr. SHEPPARD. Under the circumstances, Mr. Speaker, if the gentleman who filed the bill is not here, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, I will merely say that the gentleman from California [Mr. SHEPPARD] is but inferentially mentioned in this postcard. There was no intention on my part to create any inference that the gentleman has not done a splendid job for his Indians and for the residents and citizens of his district. It just so happened—and I am sorry for it—that the gentleman's name was mentioned on the card. I know the gentleman has differed with me on matters of policy, but I cannot, for the life of me, conceive that he, in view of his record in the Congress, would subscribe to certain things which might be inferentially credited to him in this card. He is absolved from all responsibility. I want to reiterate that of all my friends and colleagues on the floor, there are none in higher esteem than the gentleman from California [Mr. SHEPPARD].

Mr. CHURCH. Mr. Speaker, reserving the right to object, will not the gentleman withdraw his request and let this bill go through?

Mr. SHEPPARD. I will withhold my request to permit the gentleman to make an explanation if he wishes, but I shall renew it.

Mr. CHURCH. I wonder if after further discussion the gentleman would not be willing to do that?

Mr. SHEPPARD. Mr. Speaker, I must request that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. CHURCH. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SHEPPARD. Mr. Speaker, I object to the present consideration of the bill.

#### INDIANS OF CALIFORNIA

The Clerk called the next bill, H. R. 3765, to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," approved May 18, 1928 (45 Stat. 602).

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, when the bill, Calendar No. 919, was up, I commented upon a certain card which had been distributed in respect to this particular bill known as the California Indian claims bill. Because of that card I want to read into the Record at this time a paragraph from the letter of the Attorney General of the United States, the Honorable Frank Murphy, who has since been elevated to the Supreme Court bench, an opinion written by him as Attorney General under date of May 23, 1939, in commenting on this particular bill, H. R. 3765; and I might say Mr. Justice Murphy is a constituent of mine, a very good friend of mine. I respect his judgment and his opinions. I wish he might have been continued as Attorney General for I think we would have more faith in the opinions of the Attorney General of the United States had he been, but of course, we are glad to see him elevated.

Attorney General Murphy had this to say in respect to this particular bill:

In vetoing a substantially similar bill (S. 1793, 74th Cong.), President Roosevelt said:

"It appears from the report of the Senate Committee on Indian Affairs relative to this bill (S. Rept. 709, 74th Cong., 1st sess.), that the total area for which an award might probably be made under the terms of this legislation would be not less than 90,000,000 acres. Thus, the bill involves a liability of at least \$100,000,000.

"In addition to having the effect of imposing a very heavy financial burden on the Government, the bill would create a dangerous and undesirable precedent for similar endeavors on the part of the present descendants of other aborigines to secure payment for lands occupied by their ancestors at the time of the original settlements in the United States or the acquisition of territory by this country. Not only would such a course of action result in an incalculable financial burden to the Government, but justice to the Indians of today does not seem to require this type of reparation."

Since the proposed bill does not effectively meet either of the President's objections, I am unable to recommend its enactment.

So as I urge my objection to the bill I am merely following the advice of a Democratic Attorney General of the United States and a Democratic President of the United States who vetoed a similar bill. If this bill is being used as the basis of political support then somebody is surely inconsistent in his statement.

I wanted the Record to show clearly that I as an individual was objecting to this bill principally upon the recommendation of a Democratic Attorney General and a Democratic President of the United States, and not as a representative of any political party.

Mr. SHEPPARD. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. SHEPPARD. I call the gentleman's attention to the fact that unfortunately I was not on the floor at the time he made his remarks pertaining to the card and I am not conversant with what that card meant or said.

Mr. WOLCOTT. As a matter of fact it was very laudatory of the gentleman.

Mr. SHEPPARD. I do want to assure the gentleman in connection with his statement pertaining to the report that I have no intention in presenting this legislation of using it as a political football either for or against my colleagues on the opposite side of the aisle. If the proposition will not stand on its own merits, if there is no justification for it I have no objection to the gentleman's expressing his sentiment along that line because I also hold a very high regard for him.

Mr. WOLCOTT. The card I read did not quote the gentleman's sentiment, it was the sentiment of the California Indian Rights Association.

Mr. COCHRAN. Mr. Speaker, reserving the right to object, I think it is only fair, not only to the author of the bill

but also to the House, to place in the RECORD a letter from the present Attorney General. I ask unanimous consent that at this point in the RECORD I may insert a short letter from the present Attorney General voicing his objection to this bill and why he is opposed to it.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The letter referred to follows:

OFFICE OF THE ATTORNEY GENERAL,  
Washington, D. C., June 7, 1938.

Hon. JOHN J. COCHRAN,  
Chairman, Committee on Expenditures in the Executive Departments, House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This acknowledges your letter of June 4, concerning the bill (S. 1651) relating to certain claims of the Indians of California.

The purpose of the bill is to amend the act of May 18, 1928, by which jurisdiction was granted to the Court of Claims over certain claims of the Indians of California. The bill under consideration would considerably widen the scope of the original act, which limited the right to recover thereunder to those Indians who were parties to certain unratified treaties. The pending bill would extend the right of recovery of compensation to California Indians who were not parties to such treaties.

The bill contains an express provision to the effect that the loss to such Indians of their lands without compensation therefor should be sufficient ground for equitable relief. The effect of this measure might be to create a right in Indian tribes to receive compensation for lands to which they had no title recognized by law, but which were held by them solely by aboriginal occupancy. The result would be a very heavy financial burden to the United States.

The bill also contains a provision to the effect that compensation for any lands alleged to have been taken by the United States shall be at the rate of \$1.25 per acre. This provision appears to be objectionable, as it is the view of this Department that the value of the lands at the pertinent date—1852—was considerably less than this amount.

The bill further proposes to grant a right of appeal to the Supreme Court from any judgment that may be rendered by the Court of Claims. Under existing law, judgments of the Court of Claims are reviewable by the Supreme Court only on certiorari, and no reason appears to extend to a particular litigant a right of appeal not accorded to others.

In view of the foregoing considerations I am unable to recommend the enactment of the bill.

Sincerely yours,

HOMER CUMMINGS,  
Attorney General.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COCHRAN. I object to the consideration of the bill.

The SPEAKER pro tempore. Three objections are required.

Mr. TABER, Mr. WOLCOTT, and Mr. KEEFE objected.

#### TO REPEAL OBSOLETE STATUTES AND TO IMPROVE THE UNITED STATES CODE

The Clerk called the next bill, H. R. 9947, to repeal obsolete statutes and to improve the United States Code.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk called the next bill, H. R. 9773, to repeal obsolete statutes and improve the United States Code.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WOLCOTT. Would it be in order to ask unanimous consent that the bills listed under Calendar Nos. 948 to 951, inclusive, be passed over without prejudice?

The SPEAKER pro tempore. It may be done by unanimous consent.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bills listed as Calendar Nos. 948, 949, 950, and 951 may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### CHOCTAW INDIANS OF MISSISSIPPI

The Clerk called the next bill, S. 3524, conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians of the State of Mississippi.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, I had a letter from the Attorney General in which he voiced his objections to this bill. The objections were so strenuous that I feel the bill should not be on the Consent Calendar. Therefore I object to the present consideration of the bill.

Mr. TABER. Mr. Speaker, I object.

Mr. WOLCOTT. Mr. Speaker, I object.

#### DISCONTINUANCE OF PROFESSIONAL EXAMINATIONS FOR PROMOTION IN MEDICAL, DENTAL, AND VETERINARY CORPS OF THE REGULAR ARMY

The Clerk called the next bill, H. R. 10278, to authorize the discontinuance of professional examinations for promotion in the Regular Army of officers of the Medical, Dental, and Veterinary Corps during time of war or emergency declared by Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WADSWORTH. Mr. Speaker, reserving the right to object, may I call the attention of the gentleman from Kentucky [Mr. MAY], chairman of the Committee on Military Affairs, that this bill contains the same embarrassing question of emergency. The bill reads:

That in time of war or during an emergency declared by the President or by Congress, the Secretary of War may, in his discretion, dispense with any part of the examination for promotion in the Regular Army of officers of the Medical—

And so forth. I shall not object to the consideration of this bill if it can be agreed that in line 3 the words "in time of war or during an emergency declared by the President or by the Congress" may be stricken out, so that the bill will then read:

Be it enacted, etc., That the Secretary of War may, in his discretion, dispense with any part of the examination for promotion in the Regular Army of officers of the Medical, Dental, and Veterinary Corps, except those relating to physical examination.

That is all the Secretary wants. You are going to let him use his discretion, anyway. Why not let him use that discretion without making any reference to emergencies?

Mr. WOLCOTT. Will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Michigan.

Mr. WOLCOTT. May I suggest that all objections to the bill would be removed if it read as follows: "That in time of war declared by Congress," and so forth. Then we strike out everything with respect to emergencies, whether declared by the President or not. There have been numerous attempts made to get this Congress by indirection to declare that an emergency exists. We have stopped three or four of these bills. Sometime or other there may be such an indication contained in some other bill. We know we are not going to declare war without knowing that we are doing so.

Mr. WADSWORTH. I am in sympathy with the gentleman from Michigan in his hesitancy, in fact his declination to enact any legislation which would authorize the President to declare an emergency. But may I say to the gentleman that if we leave it discretionary with the Secretary of War, then he may meet this present situation, which is rather acute, regardless of whether or not we are now in the midst of an emergency. I hope it will not be declared as such. It is a fact, however, that a very heavy mobilization is going along and the strain put upon the Medical Corps is a heavy one. It must be expanded to take care of the health of these men who are going to the cantonments. Let us give the Secretary of War discretion to suspend in whole or in part the professional examinations for promotions in the Regular Army of Medical officers.

I may say to the Members of the House that promotion of officers in other branches of the Regular Army is not conditioned upon professional examinations. Under the act as it now exists only the Medical Department officers are promoted



upon professional examinations. They are going to have a very tough time convening medical boards to pass upon the promotion qualifications of every officer of the Medical Corps as he is wanted for promotion, in the midst of this mobilization. Will it not suffice, therefore, to leave this matter to the Secretary of War without making any reference to declarations of war or emergencies by the President or by the Congress?

Mr. MAY. Will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Kentucky.

Mr. MAY. I think the gentleman from New York and the gentleman from Michigan understand that this bill, along with a number of other bills with respect to procedure in the War Department, was introduced by me at the request of the War Department and the bill as presented by the War Department and as introduced by me and reported by the committee shows very clearly that the Department is not seeking to have arbitrary unlimited power or unlimited time to exercise this function; therefore, they are not subject to criticism about that and I have no inclination to want to make this permanent. But by accepting the amendment as offered by the gentleman from New York [Mr. WADSWORTH] to strike out in line 3 the words "in time of war or during an emergency declared by the President or by Congress," leaving it to read:

*Be it enacted, etc., That the Secretary of War may, in his discretion, dispense with any part of the examination for promotion—*

And so forth, would make it permanent legislation.

Mr. WADSWORTH. I have no objection to that.

Mr. MAY. I have no objection to that, therefore I will gladly accept the amendment offered by the gentleman from New York.

Mr. WOLCOTT. There was some rather lengthy discussion on this bill when it was called on October 7, and among other reasons I gave for asking to put it over at that time was that this created a very dangerous precedent and discriminated against line officers. I do not think we should be doing these things by unanimous consent. This seems to me altogether too important to the Nation as a whole and particularly to the officers involved, to jump in here and do something we are going to be sorry for later on. This hysteria which has gripped us in respect to national defense does not mean that we have got to just take a bill of this nature and try to amend it here without giving it more consideration than we are allowed by unanimous consent. Offhand it looks all right, but we must give consideration to the fact that if the amendment to be offered by the gentleman from New York [Mr. WADSWORTH] is accepted, it will make a permanent law of this, as the gentleman from Kentucky has suggested. Do we want to invest the Secretary of War with discretion to advance officers in the Medical, Dental, and Veterinary Corps without examination?

What about the politics in the Army? We all know there is a great deal of politics in the Army in respect to promotions.

Mr. WADSWORTH. In all the other branches of the Army the officers coming up for promotion are not required to take any professional examination. This is not a discrimination against them, therefore. This is merely allowing the Secretary of War, in his discretion, to treat medical officers as they come up for promotion in the same way that infantry, cavalry, field artillery, and ordnance officers are treated today.

Mr. WOLCOTT. The other officers are classified and they come from one class to another as there is a demand for them. This would allow the Secretary of War to take a first lieutenant in the Medical Corps and nominate him for a generalship if he wanted to.

Mr. MAY. No.

Mr. WADSWORTH. No.

Mr. WOLCOTT. Subject to confirmation, of course, by the Senate.

Mr. WADSWORTH. No; he cannot do that.

Mr. WOLCOTT. Without any confirmation whatsoever. I think we had better look this over.

Mr. MAY. The gentleman, of course, has been discussing the question of economy here in connection with Indian claims. Is the gentleman aware of the fact that if this bill goes through it will amount to a vast saving to the Government by the elimination of the sessions of these boards and these examinations, both physical and mental?

Mr. WOLCOTT. We are going to spend something like eight or nine billion dollars this year for defense, and I guess cutting out the meetings of a board here to pass on the qualifications of certain officers will not be too much of a saving in view of what we are going to spend on national defense. I would not be justified in letting this bill go through merely on the assumption that we are going to save the time of somebody down there in the Department. They are all on salary, anyway, and do not get any more for these examinations.

Mr. CRAWFORD. May I ask the gentleman from Michigan, referring back to the remarks of the gentleman from New York, if the gentleman from Michigan has any objection, in the event the bill is passed, to inserting a semicolon at the end of the first paragraph following the word "examination," and saying:

*Provided, That original appointments in the Medical Corps of the Army shall be made from among graduates of reputable schools or colleges of medicine or osteopathy, under such regulations as the Secretary of War shall prescribe.*

Mr. WADSWORTH. That is already the fact.

Mr. WOLCOTT. I do not know whether osteopaths are included at the present time.

Mr. MAY. Yes; they are. They are included in legislation passed by this Congress.

Mr. CRAWFORD. Under date of June 27, 1940, Maj. Gen. E. S. Adams, The Adjutant General, states:

Replying to your letter of June 18, 1940, there is no law or regulation permitting the commissioning of osteopaths in the Regular Army.

Mr. MAY. That was written into the recent bills we passed, both the National Guard bill and the soldiers' and sailors' civil-rights bill.

Mr. CRAWFORD. Under bills which are now law, then, they could select officers from the profession of osteopathy?

Mr. MAY. That is right; just the same as the others.

Mr. CRAWFORD. The gentleman is positive of that?

Mr. MAY. I wrote it into the bill in conference myself.

Mr. CRAWFORD. I was not informed on that, and I understood that it is not permissible at the present time.

Mr. MAY. If the gentleman will examine the law, he will find the word "osteopath" in it, if I am not desperately devoid of memory.

Mr. WADSWORTH. With respect to the process of promotion in the Medical Corps, may I say that officers in the Regular Army Medical Corps must be graduates of recognized medical institutions; and the gentleman from Kentucky has just explained that that field has been widened. They are commissioned as first lieutenants, not as second lieutenants, on the theory, which is proper, I believe, that they spend so many of their early years going through medical schools that they have reached an age that, when commissioned, they should be commissioned as first lieutenants instead of second lieutenants.

Mr. MAY. That is right.

Mr. WADSWORTH. Then the promotion law proceeds to state that they shall be promoted on the basis of length of service in grade from then on, not on a seniority list for promotion. A first lieutenant of the Medical Corps who has served 5 years—I think it is—comes up for promotion to the rank of captain. This bill would merely give the Secretary of War the discretion to suspend the professional examination; that is all. It does not increase the number; it does not give any power to the Secretary to hasten promotions; it does not promote anybody except in accordance with that time schedule.

Mr. MAY. It does not discriminate.

Mr. WOLCOTT. I am humbled by the information which the gentleman from New York and the gentleman from Kentucky have in respect to military affairs. I will surely bow to their will in this respect. I do think, however, that we should be forewarned that there might be an opportunity for doing the thing we want to guard against in promotions in these services.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CHURCH. Reserving the right to object, Mr. Speaker, may I ask the gentleman from New York this question: The gentleman would not want this to be permanent legislation; therefore, would the gentleman object to inserting ahead of the language of his amendment a date, say January of some subsequent year?

Mr. WADSWORTH. I speak for myself alone, and I probably should have consulted the chairman of the Committee on Military Affairs and the members of that committee, but I should be satisfied if this discretion could be exercised by the Secretary of War during a period of time which we might consider reasonably to cover the mobilization and the maintenance of this new Army, which, under the selective draft law, is 5 years.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. CHURCH. Yes; I yield.

Mr. MAY. I may say that we discussed this very question at length in the committee and the bill itself provides for the time of the present emergency or some future emergency which would mean, of course, that the legislation may terminate in 1 year or 2 years.

Mr. CHURCH. Yes; but I understand from the gentleman from New York that we are going to strike that language. The amendment of the gentleman from New York is before the House and now I am asking him if he will not insert ahead of his amendment the words "until January 20, 1945," or "January 20, 1943."

Mr. WADSWORTH. I would suggest in that respect May 15, 1945, which is the date of the expiration of the selective-service law.

Mr. CHURCH. Then the gentleman would accept that amendment to his amendment?

Mr. WADSWORTH. I would; yes.

Mr. CHURCH. Then if the gentleman's amendment is adopted there will be no objection here. That is the parliamentary situation.

The SPEAKER pro tempore. The parliamentary situation is, Is there objection to the present consideration of the bill?

Mr. WADSWORTH. I am willing to withdraw my objection if the gentleman from Kentucky is willing to liberalize the bill to that extent.

Mr. MAY. The gentleman from New York has suggested an amendment to which I shall agree.

Mr. WADSWORTH. And I withdraw my objection and offer the amendment referred to.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

*Be it enacted, etc.,* That in time of war or during an emergency declared by Congress, the Secretary of War may, in his discretion, dispense with any part of the examination for promotion in the Regular Army of officers of the Medical, Dental, and Veterinary Corps, except those relating to physical examination.

Mr. WADSWORTH. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WADSWORTH: Page 1, line 3, after the word "That", insert "until May 15, 1945", and strike out the remainder of line 3, down through the word "Congress" in line 4.

The amendment was agreed to.

The SPEAKER pro tempore. The Chair might appropriately invite the attention of the gentleman from Kentucky to the fact that a similar Senate bill is on the Speaker's table.

Mr. MAY. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 4224), and shall ask to substitute the House bill, as amended, for the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the Senate bill.

The SPEAKER pro tempore. The Clerk will report the amendment to the Senate bill.

The Clerk read as follows:

Strike out all after the enacting clause and insert the provisions of H. R. 10278, as amended.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended.

A similar House bill was laid on the table.

#### CHEROKEE INDIAN NATION OR TRIBE

The Clerk called the next bill, S. 3133, for the relief of the Cherokee Indian Nation or Tribe, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,185.72 with interest at 5 percent from June 30, 1919, to the date of the appropriation of the said sum herein authorized, which sum was appropriated by the act of June 30, 1919 (41 Stat., pp. 21, 22), and by the terms of said act was required to be "credited to the principal of the Cherokee school fund," a trust fund bearing interest at 5 percent, but which said sum was erroneously deposited in the general fund of the Treasury as miscellaneous receipt, by miscellaneous receipt covering warrant No. 122, as of August 14, 1919.

When appropriated said money shall be credited to the Cherokee school fund and the Secretary of the Treasury shall pay the said money to the surviving attorneys of the Cherokee Indian Nation or Tribe selected by them in pursuance to the act of March 19, 1924 (43 Stat., p. 27), to reimburse in part said attorneys for expenses heretofore incurred in the preparation and prosecution of the claims of the said Cherokee Indian Nation or Tribe, brought under said act of March 19, 1924, in the name of "The Cherokee Nation against the United States."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### SNAKE OR PIUTE INDIANS

The Clerk called the next bill, S. 1432, authorizing the Snake or Piute Indians of the former Malheur Indian Reservation of Oregon to sue in the Court of Claims, and for other purposes.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

#### CORONADO INTERNATIONAL MONUMENT, ARIZ.

The Clerk called the next bill, S. 4130, to provide for the establishment of the Coronado International Monument in the State of Arizona.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CHURCH. Reserving the right to object, I would like to ask the author of the bill, first, as to the cost to the Government if this bill is enacted; the annual upkeep; and if it is not true if this bill be enacted it would permit not only grazing but prospecting and mining in the proposed Coronado International Monument?

Mr. MURDOCK of Arizona. Mr. Speaker, in regard to the first item of cost there has been appropriated in another bill \$10,000 to establish the monument at that point on the international border where Coronado crossed into Arizona 400 years ago this spring. No further appropriation will be required, unless perchance it be for upkeep. The proposal, however, is that the actual monument be of such nature that no appreciable amount of upkeep will be required.

In regard to the last question asked, yes; this bill does provide that in such national monument the area will be open to grazing and also to prospecting and mineral development. That ideal is only fair and just to the pioneers who dwell in that area. Part of the proposed area now is public domain. Some of it is in the national forest. Our stock



people wish to graze on that land. It is excellent for that purpose. Our mining men wish to prospect for mineral on that land, and if there is mineral there we feel they should have the privilege of prospecting.

This is not a new principle. We have extended the right of grazing and mineral prospecting on other public lands and national forests and Indian reservations. The idea has my concurrence. I believe in it.

Mr. CHURCH. Mr. Speaker, the gentleman mentioned the other bill. Does the gentleman know that bill by number and does that bill modify the provisions of this bill in any way with reference to the provisions herein with regard to grazing, prospecting, and mining in this monument area?

Mr. MURDOCK of Arizona. My bill is identical with the Senate bill. The Senate bill has already passed the Senate.

Mr. CHURCH. Will the gentleman put into the record the number of the other bill?

Mr. MURDOCK of Arizona. We are now considering S. 4130.

Mr. CHURCH. That is correct. The other bill you mentioned appropriates \$10,000. You mentioned the provisions in that. For the purpose of the Record I would like to know the number of that bill.

Mr. MURDOCK of Arizona. I cannot recall it offhand because we passed that bill in the first session of this Congress. It was a bill which provided for an appropriation to carry on the celebration of the four hundredth anniversary of the coming of Coronado. That was passed in the spring of 1939. This bill merely provides a little more definitely for the suitable carrying out of the intent and purposes of the original appropriation.

Mr. CHURCH. Mr. Speaker, on account of the change in policy in this bill, in that it is provided that in this park area there may be prospecting and mining, I believe that is of such importance that we should not take up time on the Consent Calendar, and I am constrained to object.

I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### SIUSLAW NATIONAL FOREST, OREG.

The Clerk called the next bill, S. 1433, to add certain lands to the Siuslaw National Forest in the State of Oregon.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That all lands conveyed or relinquished to the United States, under the provisions of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195), the Emergency Relief Appropriation Act, approved April 8, 1935 (49 Stat. 115), or the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522), within the western Oregon land project, situated in Lane, Lincoln, Tillamook, and Yamhill Counties, Oreg., are hereby added to and made parts of the Siuslaw National Forest, Oreg., and shall hereafter be subject to the rules and regulations applicable to national-forest lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended, but special provisions included in conveyance of title to the United States, valid and subsisting at the date of this act and thereafter legally maintained, shall not be affected by this act: *Provided*, That this act shall not affect any revested Oregon and California railroad grant land, title to which has not passed out of the United States, or any public-domain land which is not embraced in relinquishments purchased under the acts hereinbefore mentioned.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DISPOSAL OF TOOLS AND EQUIPMENT ON THE NEW ENGLAND HURRICANE DAMAGE PROJECT

The Clerk called the next bill, S. 3991, to authorize the disposal of tools and equipment on the New England hurricane damage project.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That upon completion or discontinuance of the Federal Government's work in rehabilitating and reestablishing forest-protection improvements and in the reduction of forest-fire hazards in the various towns or other political subdivisions of the States of Maine, New Hampshire, Vermont, Massachusetts,

Rhode Island, and Connecticut under appropriation for New England hurricane damage in the First Deficiency Appropriation Act, fiscal year 1939, and acts amendatory thereof and supplementary thereto, the Secretary of Agriculture be, and he is hereby, authorized to transfer to the respective States so much of the fire protection and improvement tools and equipment, purchased from said appropriation for said work for use in the respective States, as in his judgment may be needed for continuance of said work and forest-fire protection by said States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### AGRICULTURAL ADJUSTMENT ACT, 1938

The Clerk called the next bill, S. 4311, to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes.

There being no objection the Clerk read the bill as follows:

*Be it enacted, etc.,* That subparagraph (E) of paragraph (13) of subsection (b) of section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended so as to provide for the determination of farm normal yields for corn, wheat, and cotton on the basis of the same period of years used in the determination of county normal yields for those commodities, by striking out in the first sentence thereof the words "with respect to which such normal yield is used in any computation authorized under this title" and by substituting in lieu thereof the words "in which such normal yield is determined."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### RENTALS IN OIL AND GAS LEASES

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that we may return to Calendar No. 931 (H. R. 10402) to amend the act relating to rentals in certain oil and gas leases.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. SHEPPARD. Mr. Speaker, reserving the right to object, that is the Horton bill, is it not?

Mr. WOLCOTT. Yes.

Mr. SHEPPARD. I objected to that previously because of the fact that I thought it had some influence on the submerged tide lands of California. I find I was in error, and at this time I wish to withdraw my objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan to return to the bill H. R. 10402?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the act entitled "An act relating to rentals in certain oil and gas leases issued under authority of the act of February 25, 1920, as amended, and for other purposes," approved July 8, 1940, is amended by striking out "second and third" and inserting in lieu thereof "first and second."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### AMENDING THE FEDERAL RECLAMATION LAWS

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10543) to make the excess-land provisions of the Federal reclamation laws inapplicable to the lands of the Washoe County Water Conservation District, Truckee storage project, Nevada, and the Pershing County Water Conservation District, Nevada.

The Clerk read the title of the bill.

Mr. TABER. Mr. Speaker, reserving the right to object, will the gentleman explain the purpose of the bill?

Mr. SCRUGHAM. In areas of high altitude and early frosts where hay for livestock is the chief crop, it has been found very difficult to limit one person's holdings to 160 acres as an economic unit. There is a precedent for enactment of this bill, a very similar situation—that of the Colorado-Big Thompson project. This bill is modeled after the exemption of that area from the 160-acre limitation, which is in the act of June 16, 1938, Fifty-second Statutes at Large, page 764. This act permits one person to hold more than 160 acres of land, under an irrigation project.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the excess land provisions of the Federal reclamation laws shall not be applicable to land in the Washoe County Water Conservation District, Nevada, irrigated from the Boca Reservoir, Truckee River storage project, Nevada, nor to the Pershing County Water Conservation District, Nevada, irrigated from the Humboldt River Reservoir, and the Secretary of the Interior is authorized to enter into a contract with said districts, amending, in accordance with this act, the contract of December 18, 1936, between the United States and the Washoe County Water Conservation District, and the contract of October 1, 1934, between the United States and the Pershing County Water Conservation District.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article written by a Rumanian organization with reference to the present situation in Transylvania.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Texas [Mr. THOMASON] may be permitted to extend his remarks in the Appendix of the RECORD in a tribute to our former colleague the Honorable Lindsay C. Warren.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement by Col. G. E. Meyers, retired, United States Army, on the national aviation defense problem.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by me to the Chicago Employers' Association.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. GERLACH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. CHURCH], under the special order of the House heretofore entered, is entitled to recognition at this time for 20 minutes.

Mr. CHURCH. Mr. Speaker, I have no objection to the gentleman's request.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

#### THE UNIFICATION OF THE AMERICAN PEOPLE

Mr. GERLACH. Mr. Speaker, Members of the House, now that the bickering of the Presidential campaign has subsided, I believe that all the bitterness, all the wanton waste of words that may have left scars should be wiped out. We are approaching a great holiday season, and I say that we should reap the spirit of the glorious Christmastide and instill into all hearts the thought of "peace on earth, good will toward men," so that when the Seventy-seventh Congress

convenes on January 3, 1941, we shall be able to work together for a more prosperous and a stronger United States of America.

The thought of every American should be for unity, and I address this not alone to my colleagues but to the Nation and to my constituents of the Ninth Congressional District of Pennsylvania. Let us forget for the time that we are Republicans and Democrats and remember that we are Americans first, last, and always. In this way we shall be able to work together for the common good of all of our 132,000,000 American people, with malice toward none, and with the future of a united country as our goal.

Certainly we have our differences. No individual, nor group of individuals, can agree upon every question. But from our differences can come constructive criticism, so long as one single individual or group does not attempt to usurp all of the power and instead respects the ideas of the minority. It was upon such principles that the foundation of our great Republic was laid, and upon these principles we have, in little more than 150 years, become the greatest nation in the world.

There are many problems before us as we look toward the new year, and they must be solved if we are to continue to be the greatest nation on earth. They will be solved if we respect the American tradition of loyalty toward our leaders, with intelligent opposition from the people should the leaders err, and the following of the principles embodied in our Declaration of Independence, our Constitution, and our Bill of Rights.

We cannot have class pitted against class and hope for a future of peace and prosperity for America. Therefore it is highly necessary that labor and industry, agriculture, business, and government work hand in hand to bring about the strengthening of our national defense and the restoration of our economic prosperity.

The question of our defense remains the paramount issue as we approach the convening of the Seventy-seventh Congress. It is not a question of where to place the blame for the lack of preparedness in the past, but a question of uniting so that together we can build that defense to such a strength that all nations will respect us, and in the shortest possible time. The Government must relieve industry from the burden of restriction through objectionable kinds of taxes and bureaucratic regulation, so that the leaders of business and industry will be able to speed the production of the equipment needed to make the defense of America impregnable. Thus the Congress must provide legislation which will not strangle private enterprise but will help it create the employment we need. For we must remember that although the heads of our military forces must advise us as to the needs for our defense, it is up to private industry to supply them. This is a tremendous task, and it cannot be accomplished when Federal regulation and control impede the turning of the wheels of industry and the humming of mill and factory.

The cooperation of labor is vitally needed. It has come to my attention since the national-defense program has begun that a number of strikes have shut down plants engaged in defense work. I have viewed with concern the strikes that have hampered the vital work of the airplane factories in the State of Washington, the shipyards in New Jersey and Maryland, the building of cantonments for the housing of our soldiers at Fort Dix, N. J., and most recently in the Vultee airplane factories in California.

When every minute and every hour is so vitally important to the safety and security of all America, I believe that it is just as essential in case of grievances—especially in matters pertaining to national defense—that labor sit around the conference table to adjust its problems. From such unity there shall arise that defense which will be the greatest insurance for a lasting peace for our country.

Second in importance only to the defense program is that of economic recovery. We know that we still have great numbers of unemployed and partially employed people in the United States who are yet enduring privation and distress. It is necessary that this situation be corrected in order to insure our peace as well as our prosperity, for threats from within



come from fear and dissatisfaction, and when we rid our Nation of its distress we will accomplish the elimination of the seedbeds of hate and subversive activities. The Seventy-seventh Congress must provide legislation to bring this about.

This can only be accomplished through unity, through such loyal opposition as cited by Wendell Willkie in his recent address following his defeat for the Presidency. It is necessary that we give our wholehearted loyalty to the President, but at the same time we must weigh all legislative proposals with critical judgment, reserving the right to disagree and to present opposite viewpoints. In this way we shall be truly representative of all of the people of America, signifying our unity at the same time that we signify our inherent right to think and to speak for ourselves. Upon this base we built our Republic, and our national unity and the preservation of our representative democracy at this great moment in the history of human liberty depends upon the continuation of such alert watchfulness over the American way of government.

The farmer plays an important part in the domestic picture. He has been the "forgotten man" for many years, and he still remains without the measure of prosperity which is his due despite the many schemes fostered and the experiments attempted in the past years. I sincerely believe that the convening Congress in January should immediately consider the McNary-Haugen type of plan, which, to my mind, is the solution to the problem of the farmer.

This plan provides that the American farmer receive the cost of production price for the amount of more than 70 farm products sold in the domestic market. It provides further that any surplus will be sold to foreign markets at the world-market price. It also provides that no competitive farm products can be brought into this country from foreign soil unless a tariff of 10 percent above the domestic cost of production price is placed upon them. This will insure the domestic farmer of his American market. It will make him once again the captain of his own soil, a self-reliant, dependable, and prosperous producer. And, lastly, it will prove to be a means whereby the saving to the Federal Government will be one real step toward the balancing of the national Budget, for through its program the Department of Agriculture in the fiscal year of 1939-40 spent more money than any other department of the Government.

And let us not forget that when the farmer is prosperous everybody else is prosperous. The farm group represents one of the largest single groups of people in America, for almost 30,000,000 people depend upon agriculture for their livelihood. When the purchasing power is restored to so large a number, they will buy the things that are produced by mill and factory, they will engage the services of professional people, and this will be a long step toward the banishment of the depression which has been with us the past 10 years.

As we move into a period in which we need unity more than ever before, and when we work to achieve a unified America, let us not forget that to the south of us are 21 countries which are becoming increasingly important to our own present and future. We are duty bound, under the Monroe Doctrine, to protect and defend these countries. Our national defense, therefore, is also the defense of Latin America. I say to you that the little nations of Europe, such as Holland, Belgium, and Poland, would have been mighty glad to have had the protection of a Monroe Doctrine and a big-brother nation when they were overrun by the dictators. The Latin American countries should think of this, and they should show their gratitude to us for the security we afford them. Their return for this protection, I believe, should be a willingness to purchase as much of the commodities they need, and which we can supply, from us.

We use 90 percent of all that we raise and manufacture, and thus we are 90 percent self-sufficient; but we could export much of the remaining 10 percent to the South American countries and insure for ourselves, and for them, a united continent of self-sufficient and neighborly peoples.

In the early part of this year representatives of the United States and of these countries met at Habana for the purpose of studying this problem. The outcome of this meeting was that the Congress voted to increase the capitalization of the

Export-Import Bank by \$500,000,000, this money to be loaned to the Latin American countries to aid in the building of their defense and in the development of their countries. Twenty million dollars of this money, which comes from the pockets of the American taxpayer, has already been advanced to Brazil for the building of a steel plant. I do not believe the money should be expended in this way; I do not believe we should advance them money to build factories for the manufacture of products which compete with our own, for this will, in the end, only rob the American worker of millions of hours of man-hour labor. I do believe we should loan them the money to develop rubber plantations, to cultivate hemp, to mine manganese, nitrates, tin, antimony, zinc, and other of the strategic materials and minerals which we need but do not produce here.

These are a few of the important problems which the assembling Congress will face in January. I am sure we have, in our program of national defense, our needed unity, for it is a problem outside the realm of politics. But politics likewise must be adjourned from the problem of our economic security. We must rather unite in our energies, our courage, and our sincerity so that we can be of usefulness to the future of America.

Aside from the foremost issues of defense and recovery, we must act for the public good in many other ways. We must alleviate the conflict between the rights of man and the authority of government, and for this reason the Walter-Logan measure should be speedily passed. This measure does not attempt to limit the scope of government, nor to reduce governmental authority, but it does provide that wherever an agency of government attempts to exercise power over a citizen, that citizen shall have the right of an appeal to the courts. This will guarantee constitutional rights of every citizen and prohibit any Government agency from being the judge of its own case. I believe it proper, for I believe that the people of America would rather trust their liberty, their rights, and their interests to our courts which have functioned worthily since the founding of our great Nation, than to countless bureaucrats who issue rules and regulations, and soon come to regard themselves as a law unto themselves, safe from interference by the courts and by the Congress.

We must also improve upon the present social security legislation in order to provide for the aged who do not come under the present laws, and assure them security in the evening of life.

We must pass legislation to provide compensation for the widows and orphans of the veterans of the last World War who are not receiving compensation under the present laws. The House, in this present session, passed by an overwhelming majority a measure which provided a small pension for the needy widows and dependents of these veterans, but the bill has lain dormant in the Senate. I believe that if the Senate fails to act upon the measure in these waning days of the Seventy-sixth Congress, it should be enacted into law by the new Congress which convenes in January.

With these and other measures we must work to solidify the greatness of America into something material for all of our people of all ages. We must insure for ourselves and our posterity, through the work of the next Congress and the unification of our 132,000,000 people, an America which will go on to greater heights as the greatest Republic in the world—one Nation, indivisible, with liberty and justice for all. [Applause.]

#### EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short article from the national magazine of the Veterans of Foreign Wars.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

#### SPECIAL ORDER

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Illinois [Mr. CHURCH] is recognized for 20 minutes.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein two short quotations.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CHURCH. Mr. Speaker, I wish to express my unequivocal opposition to the proposed adjournment of this Congress, either today, tomorrow, next week, or at any time during this period of grave emergency.

It has been said that there is nothing for Congress to do. That has been said before. In a press conference on June 4 and in a press conference on June 11 the President said he could see no reason for Congress to remain in session except for the laudable purpose of making speeches. I shudder to think what would have been the state of our national defense had we complied with the President's wishes last June.

Since that time we have authorized a two-ocean Navy. We have authorized an expenditure of around \$7,000,000,000 for defense purposes. We have increased the lending capacity of the Export-Import Bank by \$500,000,000 in order to aid the countries of the Western Hemisphere. We have passed the Alien Registration Act. We have authorized the mobilization of the National Guard and Reserve Corps. We have inaugurated a military-training program. We have enacted a so-called excess-profits tax bill. We have amended our patent laws with a view to protecting inventions valuable to our defense. We have given the N. A. C. A. additional authority and it has been making commendable progress.

In short, Mr. Speaker, since the President suggested that Congress adjourn last June we have inaugurated the defense program. Much remains to be done. Tomorrow may be too late. We are living in a grave hour of fast-moving, unpredictable events. In this hour we must recognize our responsibilities and unselfishly perform our duties.

It would indeed be pleasant for each of us to return to his home, to be with his home neighbors and friends. I have no doubt that the young men entering the training camps and on the high seas would rather be with their families than hundreds or thousands of miles away. These young men recognize their duty and find joy in making sacrifices to perform that duty. Surely Members of Congress, too, who asked these boys to come to the aid of their country, are no less willing to make personal sacrifices.

No one here can rise in his place and seriously contend there is nothing more for Congress to do. Is it to be said that our whole duty is performed simply in passing bills the President recommends and in appropriating funds? The appropriation of funds is only a small part of our duty. We have the responsibility of seeing that the money appropriated is wisely spent.

As contracts are let and expenditures made, we should remain here to check continuously the progress being made. The Committees on Military Affairs, on Naval Affairs, and on Appropriations should be constantly inquiring into various phases of the defense program. Or a joint committee of the Senate and House might be established for the purpose, not with a view to interfering with the work but rather with a view to keeping our people informed as to what is going on and to make constructive suggestions in the interest of efficiency. Practically all the information many Members have with regard to the progress of the defense program is what they may have gleaned from the public press or perhaps from a personal interview with departmental officials from time to time.

In our efforts to establish an impregnable defense for this hemisphere, each of us has something constructive to offer. Some of you may recall that as long ago as March of 1938 three members of the Committee on Naval Affairs joined with me in a minority report on a naval bill. In that report we vigorously opposed the imposition, for the first time, of a limit on the number of aircraft the Navy may possess. We endeavored to emphasize the importance of aircraft.

Let me read a few paragraphs from that report. On page 5 you will find these words:

The evidence before our committee emphasized the extreme flexibility of aircraft in the defense of the American Continent where aircraft can be available in either ocean within 24 hours.

The Congress may also most profitably read the evidence before the committee as to the amazing advances in aircraft even in the past 2 years since the Inskip report was published. Each day witnesses new achievements by aircraft. \* \* \*

The proposed legislation now for the first time imposes a limit of 3,000.

Yet England has just presented an air program providing 12,000 planes and placed air defenses on a parity with the Army and Navy in the amount of appropriations. This is in startling contrast to the American allocation although America seems ideally adapted to emphasize air defense.

When we wrote that report we were in the minority. Today we are in the majority. In 1938 the administration did not accept our view. Today our view is the administration's view. I only wish that the administration could have been convinced in 1938 that our suggested emphasis on aircraft was sound.

Just a few days ago we read the account in the public press of the destruction of three Italian battleships by British bombers in their raid at Taranto. Some of you will recall that only a few of us on the Naval Affairs Committee insisted that a battleship could be destroyed by aircraft. We were opposed in that view by the majority of the committee, by the Navy Department, and by the administration.

I mention these things not in the spirit of criticism. I mention them simply to point out that each of us, as individual Members of Congress, has something constructive to offer for the building up of an adequate national defense. We should remain in session in order that we may make our contribution.

Much remains to be done. If we adjourn we will be deliberately refusing to assume the responsibilities that are ours.

This morning's paper carries the story of a mysterious fire and unexplained explosion at two chemical plants in Pennsylvania. At Johnstown fire destroyed the plant of the Pennsylvania Chemical Co., which was engaged in filling a Government order for incendiary bombs.

This is only one of several successive explosions in important ammunition plants in the United States. We are confronted with the very serious problem of dealing with foreign agents in the United States, in dealing with the problem of sabotage. Are we to adjourn with this problem unsolved? Are we to adjourn without taking effective steps for dealing with this serious situation?

According to an Associated Press dispatch of November 15, our able colleague Congressman DRES has indicated that his committee will need \$5,000,000 for next year if the extremely important investigation he is making is to be carried forward "as it should be." It is evident from the recent sabotage activities in our defense industries that the work of this committee should be enlarged, and we should remain here to cooperate with the committee in its work.

I say again, much remains to be done. Tomorrow may be too late.

National defense involves more than men and equipment. It involves more than enacting laws and making appropriations. It also involves placing our entire economy on a sound basis. We are confronted with a public debt of \$45,000,000,000. It has been reported that the Secretary of the Treasury intends to ask Congress to increase the statutory debt limitation to \$65,000,000,000 and to impose additional taxes.

We should begin to work on this problem today, not tomorrow or next week or at the next Congress opening in January. Tomorrow may be too late.

Our entire tax structure needs revision. I have stated that many times. We cannot simply continue to impose one tax and then another in a patch-quilt fashion. The Ways and Means Committee should proceed to hold hearings on the subject. It should proceed immediately to prepare necessary legislation for the raising of the revenue necessary to finance the defense program. We cannot continue deficit financing. And it is most important that the taxes imposed be levied equitably, in accordance with ability to pay and in accordance with our concerted efforts to stimulate production.

Throughout the country there is great apprehension about the future of our fiscal situation. We do not know what day



inflation panic may set in. We cannot postpone until next session this impending problem. Tomorrow may be too late.

Moreover, there are a number of important measures pending on the House or Senate Calendars and pending in committees that should receive our immediate attention. I do not propose to enumerate all of them. There is, for instance, the Walter-Logan bill. It was reported by the House Committee on the Judiciary. It has passed the House overwhelmingly. It is pending in the Senate.

If we adjourn now, all that we have done in connection with this extremely important bill will come to naught. The measure will have to be reintroduced, again considered by the House Committee on the Judiciary, again voted on in the House, and again sent to the Senate.

Exactly the same situation exists in connection with the bill to amend the National Labor Relations Act. It has passed the House by a substantial majority and is pending in the Senate.

There is also the Ramspeck civil-service bill to extend the civil-service system. That measure has passed both the House and Senate and is presently pending in conference. If we adjourn, we undo everything that has been done in this bill toward extending the civil-service system.

Mr. Speaker, I say again, much remains to be done, and it is our duty to remain in session until it is done, until this period of emergency has passed. This is not a one-man government. This is a republic. We are representatives of the people. We have responsibilities and duties to perform. It is imperative that we prove ourselves able to discharge the tasks that are ours.

We might well weigh the words of Winston Churchill, now Prime Minister of England, in his speech in Parliament in opposition to the position taken by Chamberlain that Parliament should adjourn. He said:

After all, we are passing through a period of very rapid daily change in Europe of the most disturbing character, and it does not seem quite right that Parliament should go away for 25 days as if nothing was going on and as if it had lost interest in matters which affect the whole future of this country. It is derogatory to Parliament, it seems to me, that it should be thought unfit as it were to be attending to these grave matters, that it should be sent away upon a holiday in one of the most formidable periods through which we have lived. I know that there is a certain undercurrent of derision of Parliament even among its own members, and a feeling no doubt among ministers "what relief it will be when we have got them sent about their business and we can get on with our work." That is exactly the idea which in other countries has led to the institution of dictatorships, the same process of impatience with the parliamentary machine which has swept it away and has led to its replacement by one-man rule.

During the 6 years I have been privileged to be a Member of this body I have repeatedly emphasized the importance of Congress. I have always opposed attempts to reduce Congress to a position of subservience. We must be ever mindful that we are servants of the people. We are their voice. If we permit Congress to fall into a position of subservience, the representative Government we cherish will cease to exist. The voice of the people will be stilled. We must not, we cannot, allow Congress to fall into disrepute. If we adjourn now, refusing to assume the responsibilities that are ours and refusing to fulfill our duties, leaving unfinished tasks behind us, we will have taken a step which may very readily be a step in the ultimate destruction of our Republic.

Mr. Speaker, the proposed adjournment of Congress touches on the very future of democracy. Elsewhere in the world legislative bodies have been reduced to a mere functionary of the man at the head of the government. Elsewhere in the world legislative bodies have come to be meaningless and without purpose. We must not allow that to happen here. It will happen unless we can demonstrate that we have a purpose and that we can and will fulfill that purpose.

I repeat, for I cannot emphasize it too often: We must not adjourn. Much remains to be done. Tomorrow may be too late. I earnestly solicit your consideration of the seriousness of the adjournment proposal as it relates to the future of representative government. I earnestly solicit your opposition to adjournment.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. CHURCH. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. The gentleman has made an extremely valuable contribution, and he has made a fine fight against adjournment, and I rise to ask the gentleman if he does not think it is rather absurd to believe that we cannot meet, even if we do not meet in this Chamber? There is the caucus room; there are other rooms in the Capitol; and there are big Government auditoriums in Washington where the Congress could meet, if necessary. So the repairing of the roof of the Capitol does not constitute a real necessity for the adjournment of Congress, even if there is danger that the roof may fall upon us. I trust it will not be used as an excuse to adjourn.

Mr. CHURCH. I agree with the gentlewoman from Massachusetts. Even if there is danger of the roof falling, this Congress can meet somewhere else.

Mrs. ROGERS of Massachusetts. In England the people are carrying on in dugouts. I think the Congress of the United States, in view of the economic chaos and the international difficulties in which we find ourselves, can find some place to meet, and that meeting place need not be a dugout. But the Congress certainly should remain in session, even if we did have to meet in a dugout. These are extremely critical times in the history of our country, as the gentleman knows. I am as utterly and entirely opposed to the adjournment of the Congress as he is.

Mr. CHURCH. I thank the gentlewoman for her contribution.

Mr. STEFAN. Will the gentleman yield?

Mr. CHURCH. I yield to the gentleman from Nebraska.

Mr. STEFAN. Has there been a statement to the effect that we should vacate this Chamber because of the dangerous condition of the roof? Has there been a statement to that effect?

Mr. CHURCH. Let me yield further to the gentlewoman from Massachusetts, who is on her feet and who just referred to the roof situation.

Mrs. ROGERS of Massachusetts. I have read articles in the newspapers which state that the Architect of the Capitol, Mr. David Lynn, said it is not safe for us to meet in the House Chamber, that the roof may fall at any moment. Of course, we have been meeting all during the summer, and I suppose it was perfectly possible for the roof to have fallen during the summer.

Mr. CHURCH. The gentlewoman from Massachusetts is one of those who have been most attendant to her duties in this body, she has insisted that Congress remain in session. I recall that she opposed adjournment without enacting certain legislation desired by our veterans. Insofar as this roof matter is concerned, I think the powers that be are making much ado about this at this time, simply to provide themselves with an excuse to have Congress adjourn.

Mr. STEFAN. I am not criticizing what the gentlewoman from Massachusetts said regarding the roof. On the contrary, I wish to confirm what she has said. The Architect has made some statement to our Committee on Appropriations that the roof is in dangerous condition. Should we have a heavy snowfall we may have a repetition of what happened here in Washington some years ago when the roof of a theater caved in, killing many people. Certainly the gentleman does not mean to imply that the Congress wants to adjourn just because we have some dangerous construction in the Capitol Building?

Mr. CHURCH. I never intended to convey that impression, but I do think the administration would like to use this as an excuse for its efforts to have Congress leave Washington.

Mr. STEFAN. That is not the reason for adjournment. I compliment the gentleman on his very fine address. [Applause.]

[Here the gavel fell.]

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. COFFEE of Washington, indefinitely, on account of illness in family.

To Mr. BLAND (at the request of Mr. BURCH), indefinitely, on account of illness.

#### ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 11 minutes p. m.) the House adjourned until tomorrow, Tuesday, November 19, 1940, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2022. A letter from the Secretary of War, transmitting a report of contracts awarded in accordance with provisions of the act of March 5, 1940 (Public, No. 426, 76th Cong.); to the Committee on Military Affairs.

2023. A letter from the Secretary of War, transmitting a report of contracts awarded in accordance with provisions of the act of March 5, 1940 (Public, No. 426, 76th Cong.); to the Committee on Military Affairs.

2024. A letter from the Secretary of War, transmitting a report of contracts awarded in accordance with provisions of the act of March 5, 1940 (Public, No. 426, 76th Cong.); to the Committee on Military Affairs.

2025. A letter from the Administrator, Federal Security Agency, transmitting a copy of a draft of a proposed bill to amend section 702 of the Labor-Federal Security Appropriation Act, 1941; to the Committee on the Civil Service.

2026. A letter from the Chairman of the Reconstruction Finance Corporation, transmitting a report of the corporation's activities and expenditures for the month of September 1940 (H. Doc. No. 984); to the Committee on Banking and Currency and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. COCHRAN: Committee on Accounts. House Resolution 629. Resolution to provide funds for further expenses of conducting investigation and study authorized by House Resolution 63, Seventy-sixth Congress, incurred by the Select Committee to Investigate the Interstate Migration of Destitute Citizens; with amendment (Rept. No. 3061). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Accounts. House Resolution 630. Resolution authorizing an additional assistant in the attending physician's office of the House of Representatives; with amendment (Rept. No. 3062). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII,

Mr. THILL introduced a bill (H. R. 10676) to prevent the spread of false information in political campaigns, which was referred to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN:

H. R. 10677. A bill granting an increase of pension to Herbert B. Holloway; to the Committee on Pensions:

By Mr. HARTLEY:

H. R. 10678. A bill for the relief of Carol Popomeier, also known as Charles Meyer, and Maria Popomeier, his wife, also known as Maria Meyer; to the Committee on Immigration and Naturalization.

By Mr. PACE:

H. R. 10679. A bill for the relief of Mrs. H. C. Bivins, Miss Henrietta Bivins, and Irvin Tatum; to the Committee on Claims.

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#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

9377. By Mr. MERRITT: Resolution of the Medical Society of the County of Queens, N. Y., that the Selective Training and Service Act of 1940 be amended as follows: (1) Any man selected for training and service under this act who has been awarded a degree in medicine or dental surgery from (a) a grade "A" American medical or dental school, (b) or a foreign medical school, and which said individual has been licensed to practice medicine, surgery, or dentistry in any State, Territory, or possession of the United States or District of Columbia, and whose physical and mental fitness for such training and service has been satisfactorily determined, shall be commissioned as an officer in the Medical Department Reserve, Officers' Reserve Corps; to the Committee on Military Affairs.

9378. Also, resolution of the New York State League of Savings and Loan Associations, approving House bill 10573 and requesting that both Houses of Congress give this legislation favorable consideration at the same time that the amendments to the Federal Deposit Insurance Corporation Act are being considered; to the Committee on Banking and Currency.

9379. By Mr. LYNCH: Resolution of the Bronx County Medical Society, New York City, regarding the exemption of medical students and the commissioning of all those who have been awarded a degree of doctor of medicine by a recognized medical school or who hold a valid license to practice medicine and surgery in the United States under the provisions of the Selective Service Act; to the Committee on Military Affairs.

9380. By the SPEAKER: Petition requesting consideration of resolution with reference to Senate bill 591; to the Committee on Banking and Currency.

9381. Also, petition requesting consideration of resolution to take favorable action on Senate bill 4269 and House bill 10384; to the Committee on Ways and Means.

## SENATE

TUESDAY, NOVEMBER 19, 1940

The Senate was called to order by the Secretary, Edwin A. Halsey.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, our Heavenly Father, whose gift is length of days, who dost apportion our work according to our strength: As Thou hast pardoned our transgressions, do Thou sift the gatherings of our memory, that evil may disappear and only good may stand revealed. We call Thee holy, yet how poor is all our thought of holiness. Thy name is Love, yet how little we know of what Thy love may be. Come Thou to us in kindling thought, and open Thou our lips that we may praise Thee for Thy gifts, especially for Thy presence, for the love of friends, for new opportunities of service, and for joy in the growth and happiness of children. Grant us an ever-deepening sense of sympathy and understanding for those who bear the burdens of the world, and give to us, dear Lord, clear thought and quiet faith. Let the spirit of Thy peace abide with us through all the days to come, that we may feel Thee even as the wind upon our cheeks, as the tide about the shore, as a hand within our own. In Thy dear Son's name we ask it. Amen.

The SECRETARY. The Vice President being absent, and the office of President pro tempore being vacant by reason of the death of the late beloved Senator Key Pittman, of Nevada, the Secretary of the Senate, under authority of rule I, paragraph 2, has called the Senate to order.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.